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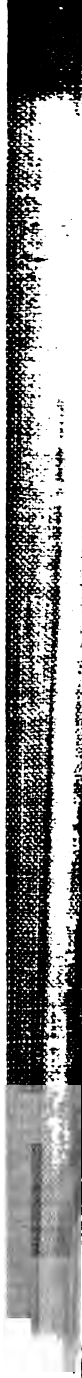
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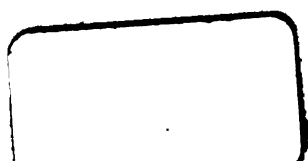
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SIXTY-THIRD ANNUAL REPORT

OF 1908

Prison Association of New York

1908. (1909)

PRINTED BY THE ASSOCIATION

131 EAST FORTY-SEVENTH STREET, NEW YORK

TRANSMITTED TO THE LEGISLATURE APRIL 10, 1909

ALBANY

JOHN F. CROSBY COMPANY, PRINTERS

1909

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SIXTY-THIRD ANNUAL REPORT

OF THE

Prison Association of New York

1908. [1907]

OFFICE OF THE ASSOCIATION,
135 EAST FIFTEENTH STREET, NEW YORK.

TRANSMITTED TO THE LEGISLATURE APRIL 20, 1908.

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1908

STATE OF NEW YORK

No. 38.

IN SENATE

APRIL 20, 1908.

SIXTY-THIRD ANNUAL REPORT

OF THE

PRISON ASSOCIATION OF NEW YORK.

HON. LEWIS STUYVESANT CHANLER, *Lieutenant-Governor of New York:*

SIR.— In accordance with chapter 163 of the Laws of 1846, we have the honor to present the sixty-third annual report of the Prison Association of New York, and to request that you will lay the same before the Legislature.

Respectfully,

EUGENE SMITH,

President.

SAMUEL J. BARROWS,

Corresponding Secretary.

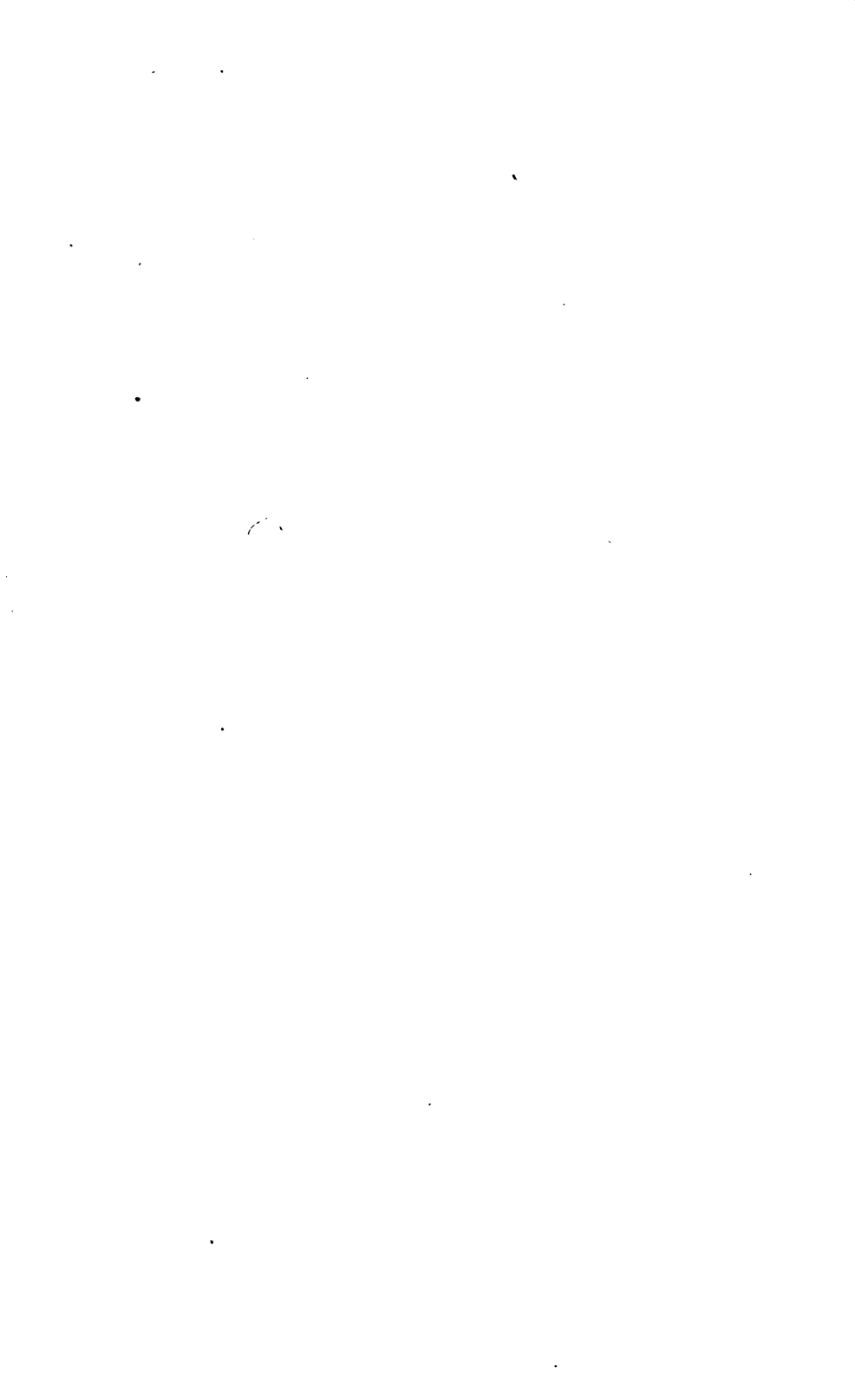


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OFFICERS FOR 1908.

President.

Eugene Smith.

Vice-Presidents.

Wm. P. Letchworth,	Robt. W. De Forest,
Rt. Rev. David H. Greer,	Felix Adler.

Secretary.

Samuel M. Jackson.

Corresponding Secretary.

Samuel J. Barrows.

Treasurer.

J. Seely Ward, Jr.,
135 East Fifteenth Street, New York.

Executive Committee.

W. W. Battershall,	Edward B. Merrill,
B. Ogden Chisolm,	Thomas M. Osborne,
J. Fenimore Cooper,	Frank D. Pavey,
John H. Finley,	Eugene A. Philbin,
Austin Flint, M. D.,	Dean Sage,
Cornelius B. Gold,	Decatur M. Sawyer,
Wm. H. Gratwick,	Wm. J. Schieffelin,
Henry E. Gregory,	George G. Shelton,
Alexander M. Hadden,	Gino C. Speranza,
John W. Hutchinson,	J. G. Phelps Stokes,
George W. Kirchwey,	Evert Jansen Wendell,
James McKeen,	Mornay Williams,
	James Wood.

General Agent.

D. E. Kimball.

STANDING COMMITTEES FOR 1908.

On Law.

Messrs. Williams, Kirchwey, McKeen, Merrill, Pavey, Philbin and Speranza.

On Discharged Convicts and Parole Work.

Messrs. Hadden, Chisolm, Finley, Gregory, Sawyer and Schieffelin.

On the Library.

Messrs. Jackson and Wendell.

On Detentions.

Messrs. Wood, Gregory, Osborne, Sage, Shelton and Stokes.

On House.

Messrs. Hutchinson and Flint.

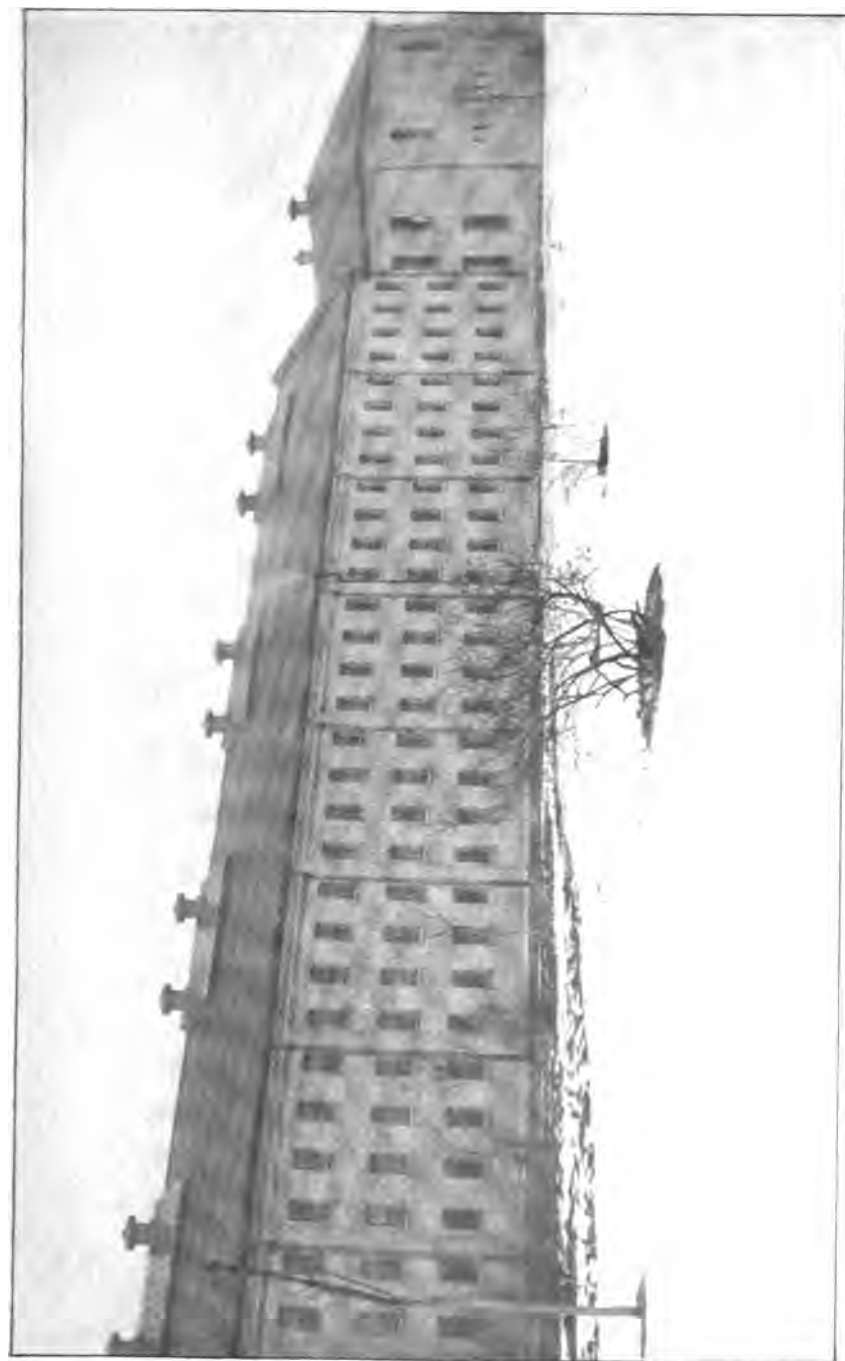
On Finance.

Messrs. Schieffelin, Gold, Jackson, McKeen, Stokes and Ward.

PREFACE.

The Sixty-Third Annual Report of the Prison Association of New York includes the report of the executive committee, transmitted to the Legislature April 20, 1908, the report of the corresponding secretary, and additional matter down to September 1, 1908. As the financial year of the Association corresponds with the calendar year, the record of donations and the treasurer's report are limited to the 31st of December, 1907. Contributions made during 1908 will be acknowledged in the next annual report.





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SIXTY-THIRD ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK.

REPORT OF THE EXECUTIVE COMMITTEE.

To the Honorable, the Legislature of New York:

The commendable attention given by the last Legislature to questions relating to the supervision and administration of the prison system of the State led to the adoption of new and fruitful laws. Among the most important of these were laws providing for the reorganization of the State Commission of Prisons, the reconstitution of the Board of Parole, the extension of the indeterminate sentence, and the establishment of the State Probation Commission. Though less than a year has elapsed since their adoption, the wisdom of some of these laws has already been justified. The work of inspection under the new Prison Commission is better distributed, the Probation Commission is gradually co-ordinating probation work throughout the State, and the new Board of Parole, supported by a more effective law, is giving more thorough consideration to the large number of cases that now come under its supervision.

THE JUDICIARY AND THE INDETERMINATE SENTENCE.

No principle has been better justified in modern penology than that of the conditional liberation of prisoners. It finds its best expression in the indeterminate sentence law in connection with some corrective and educative method of treatment. Though New York was the first State in the Union to enact the indeterminate sentence as a fundamental principle of its reformatory system, which it did in 1876, it was not until 1889 that the law was applied in a cautious, tentative way to commitments to State prisons. This law did not abolish the definite sentence, but made the indeterminate sentence permissive, allowing the court to fix a maximum and minimum sentence within the shortest and longest periods for which an offender could be committed according to the

Code. From the interesting review of the parole system as applied to State prisons presented in the report of the Board of Parole for State Prisons for the year ending September 30, 1907, it appears that during the twelve years that this law was in force, approximately 13,000 prisoners were received at the three State prisons, but only 115 were sentenced to indefinite terms. Although "Seventy per cent. of the prisoners committed to the prisons of this State are originally sentenced to Sing Sing prison, yet during the twelve years period mentioned, not one was received at that institution under an indefinite sentence." The laws of 1901-02 modified and extended the indeterminate sentence and gave the judges and courts a still larger opportunity to apply it; but the figures show that judges were very slow to avail themselves of the privilege, and some of them even took steps to evade the spirit of the law by sentencing offenders for a period in which the minimum and maximum limits coincided, such as a sentence to not less than one year and not more than one year. Such sentences were illegal in spirit if not in fact.

The question arises why the same judges who sent prisoners to Elmira under an indeterminate sentence were not willing to commit them to Sing Sing under the operation of a permissive law. Evidently it was not for any want of faith in the principle of the indeterminate sentence *per se*. Inquiries instituted by this Association seem to indicate that the judges of New York city lacked confidence in the application and administration of the Parole Law as applied to the three State prisons. This distrust, it would seem, from the frank confessions of individual judges, grew almost entirely out of the fear that partisan consideration might influence the members of the Board in granting parole. No formal charges were ever made in this connection and no evidence furnished to support the intimation, but the feeling of distrust was undeniable. The declaration was, however, made by a prominent judge of the Court of General Sessions that if State prisoners could be placed under a marking and grading system and the conditions of parole made to depend upon the character and attainments of prisoners, wholly apart from political influence, the confidence of judges would be established.

It is hardly necessary to emphasize the great value of the moral, official and personal support of the judiciary in every effort for improvement of our penal system. It is to be hoped that the important change made in the laws of 1907, providing for the adoption of a uniform system of grading and marking in State prisons, will give a new basis for judicial support and confidence. This feature, and also the wise provision of the law of 1901, which forbids the Board from entertaining any other form of application or petition for the parole or absolute discharge of a prisoner than that which comes from the prisoner himself, furnish as strong safeguards against political favoritism as can be embodied in a law or method. Beyond that, confidence can only be secured by the character and record of the men who compose the Board. The firm and persistent impartiality of the board of managers of the New York State Reformatory in absolutely separating the parole of prisoners from all partisan influences is such that not a breath of suspicion has been raised for years that release from that institution could be obtained by any political favoritism. Politicians of all degrees of influence, from the lowest to the highest, have long since ceased to demand favors in this direction, and for years the Governor of the State has not interfered with the action of the Parole Board by pardoning prisoners. The independence of judgment, enlightened zeal and devotion which the members of the new Board of Parole for State Prisoners are bringing to their task should command similar confidence. The law of 1889, as already said, was merely permissive. The judges had to share the responsibility of committing a prisoner under an indefinite sentence. The mandatory feature of the present law relieves the judges of the responsibility of deciding whether to apply a definite or indefinite sentence; this responsibility has been wisely assumed by the Legislature, and it is a gratifying indication of legislative confidence in the principle and application of the law.

It is a part of the duty of the new Board of Parole to make a report to the Governor with its recommendations on all applications for pardon referred to it by him. Governor Hughes has already availed himself of this opportunity in a number of cases. The investigations made by this Board under such applica-

tions ought to relieve the Executive of much time and importunity. We may expect that eventually the exercise by the Governor of the pardoning power will be reserved wholly for cases in which there has been some miscarriage of justice or in which new evidence has been brought to light which doubtless would have modified the verdict of the jury; while the parole principle will be applied to all cases of offenders properly convicted. Conditional release seems to be the only rational way of dealing with all offenders for whom a corrective period of imprisonment is necessary. No absolute discharge should be granted unless the prisoner has demonstrated by his conduct on parole that it is safe to release him without further supervision. While the parole system thus affords a safeguard for society, the conditions which it imposes on the prisoner of having assured work and shelter before his parole is granted, so far from being onerous, furnish the best and easiest means of re-establishing him in society.

NEW SITE FOR A STATE PRISON.

In the fall of 1907 the Commission on New Prisons, after an examination of the most available of the ninety-seven sites offered for the location of a new prison to take the place of Sing Sing, unanimously decided to recommend the purchase of 500 acres of the Lambert estate situated on the west bank of the Hudson river forty-two miles from New York.

This tract includes the east slope of Bear mountain, and also Highland lake, assuring an abundant water supply. The site has 2,750 feet of frontage on the Hudson river. Facilities for transportation by water, as well as by the West Shore railroad, are thus secured. It is well wooded and contains an abundance of rock valuable for road or building purposes. The Governor and the State Commission of Prisons have approved this site, and when the Attorney-General has completed the search of title the purchase will be concluded. A year ago the Commission was offered this property comprising a thousand acres of land for \$75,000. Had not the Legislature limited the Commission to the purchase of 500 acres the entire tract could have been obtained for the price which the Commission was obliged to pay for half of it. Nevertheless, the price paid was very reasonable for one of the most beautiful sites on the Hudson.

About thirty acres will be needed for the prison buildings and yard properly inclosed. The rest can be utilized as a State park, and some of the prisoners who are nearing their period of parole may properly be employed in the work of forestry. This site has the advantage of being completely isolated from any settled community, while it is but twelve miles further from New York than Sing Sing.

In addition to the advantage of establishing a prison in a salubrious and secluded spot, while convenient for transportation, the purchase of this property by the State will doubtless insure the preservation of Bear mountain, a fine scenic point in the Highlands, which has threatened to become a prey to the encroachments of the quarrymen.

REORGANIZATION OF OUR PRESENT SYSTEM.

From time to time during several years past this Association has called the attention of your honorable body to the need of a general reorganization of the prison system of the State. The time now seems ripe to undertake it. Nearly all of those who have studied the subject agree as to the necessity of such reorganization and as to the main lines along which it should be carried. No single organization in the State includes so many representatives of charitable societies, so many practical and responsible workers in the field of philanthropy and penology as the New York Conference of Charities and Correction. For several years past successive committees appointed by that body to study the treatment of the criminal have described existing conditions, and with remarkable unanimity have pointed out the remedies for them. These general recommendations, however, produce little result unless they are focused into projected laws and brought directly before the Legislature for consideration and action. While there is general agreement as to what should be done, the successive steps to be taken in order to give symmetry, uniformity, and greater efficiency to our present system need not be pointed out in detail and laws drafted through which they may be realized. For this purpose a bill is now before your honorable body, authorizing and directing the State Commission of Prisons to report as to the advisability of establishing State

workhouses and a State reformatory for misdemeanants, as to the acquisition by the State of the county penitentiaries, and such amendments to the law as may be necessary in regard to the sentencing and commitment of prisoners. It is to be hoped that this investigation will lead to the presentation of a comprehensive scheme which by successive stages may end in a complete reorganization of the prison system, and the eventual assumption by the State of the control which is now vested in the counties.

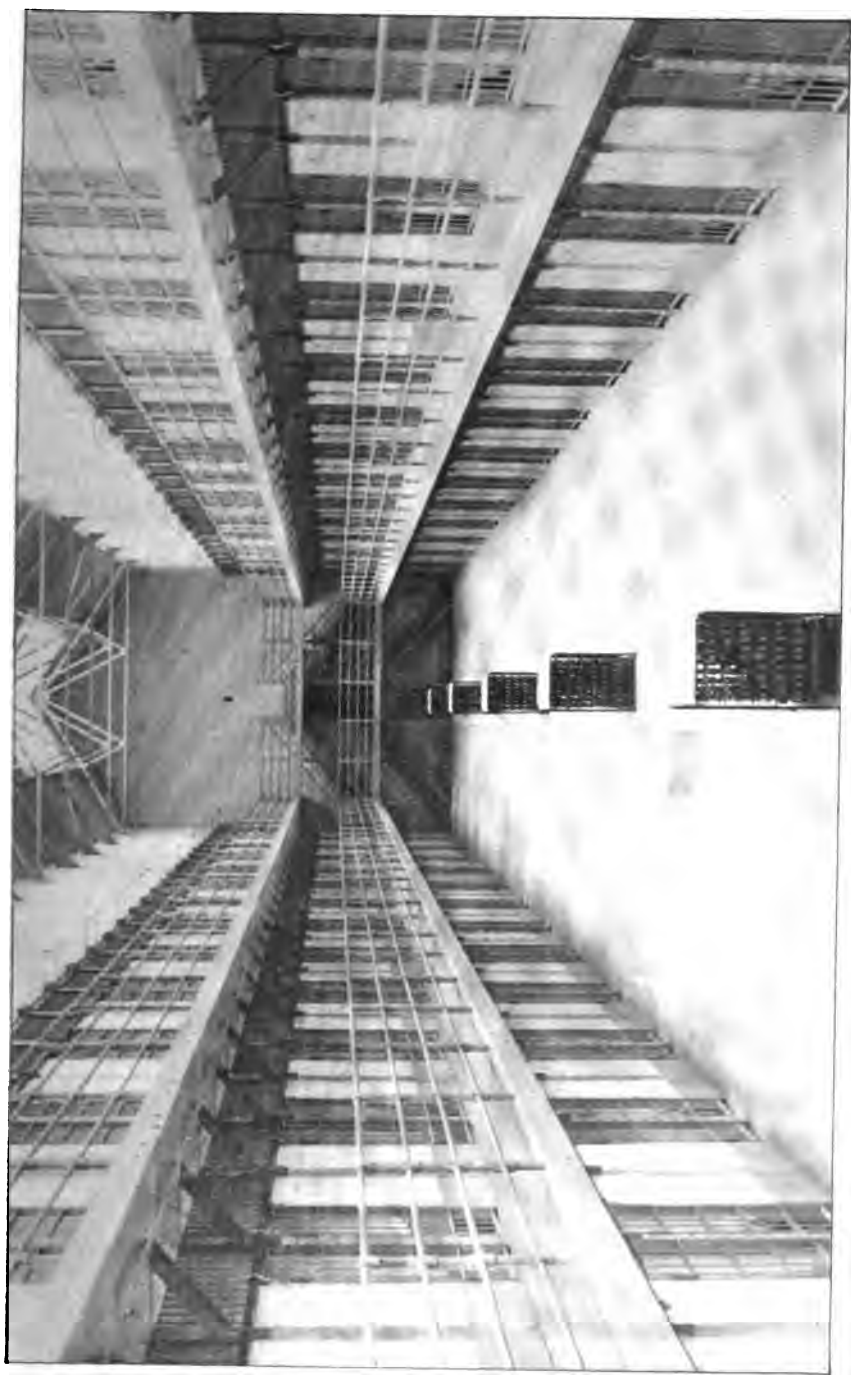
PRISON LABOR.

Such State control is the only possible way of relieving to some extent, though it may not wholly cure, the deplorable prison idleness which now prevails in jails and penitentiaries under county control in the State of New York. This idleness is due to the unfortunate amendment to the Constitution forbidding the sale of prison-made goods in the open market. The experience of New York in this direction ought to be a warning to any State proposing to adopt this policy of restriction.

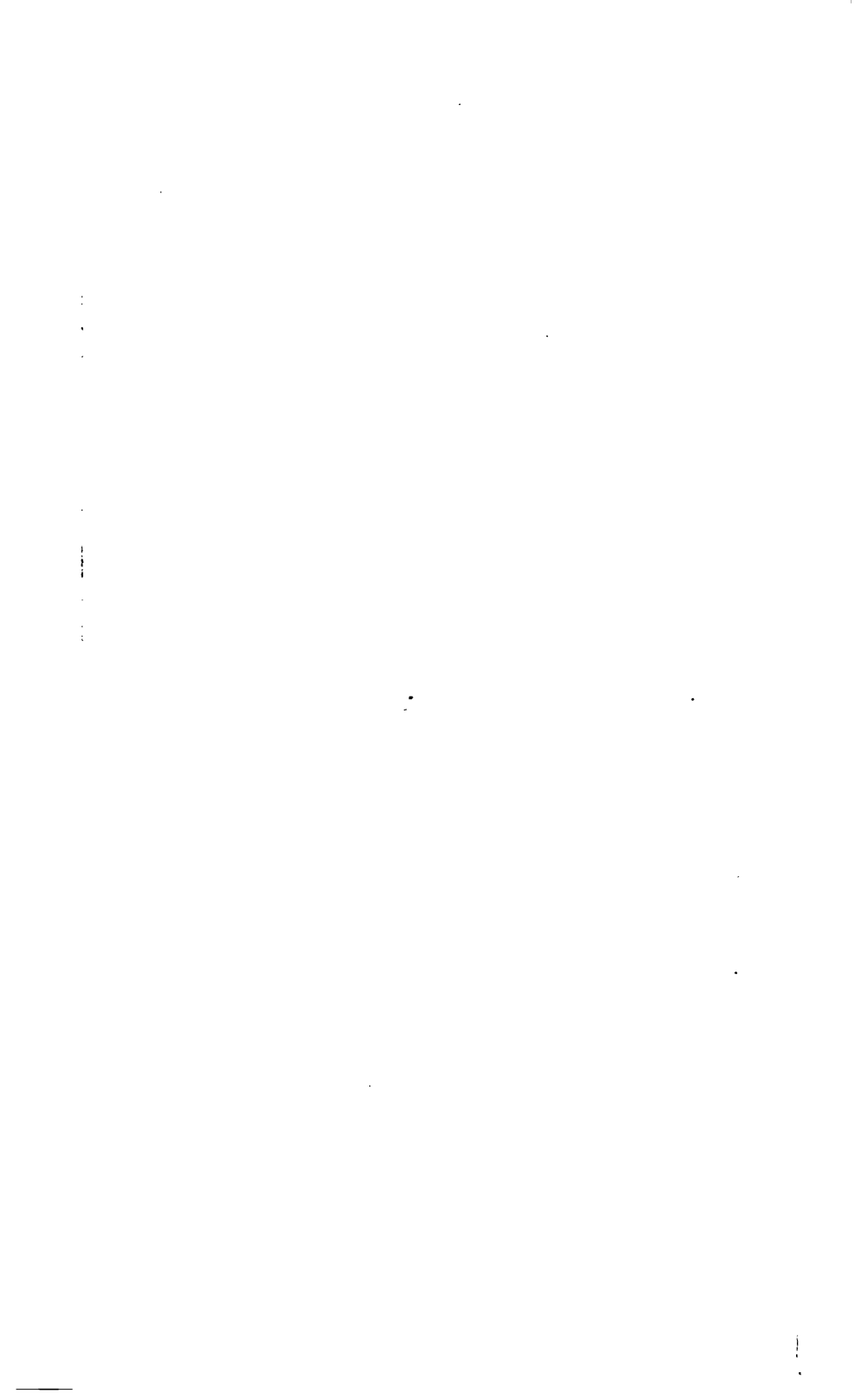
The amount of idleness in 1906 in county jails and penitentiaries was computed to be over 400,000 days. The keeping of so large a body of men in idleness tends to make prisoners into confirmed idlers and criminals. It is the State of New York which is responsible for keeping these prisoners in idleness. It is unjust to the free laborer to assume that he demands such a cruel policy. It is unjust to the taxpayer who is required to support this vast army of idle men, and it is unjust to the prisoner who is sentenced to enforced idleness.

Much can be done to mitigate the present condition of affairs by making mandatory the employment of prisoners in the repair and construction of all penal institutions.

In Chicago the new cell block, barn, and other buildings for the House of Correction have been built entirely by prison labor, mostly by short term men. The great United States prison at Leavenworth is a remarkable example of what can be done by prisoners without previous training in building. Excellent work has also been done at the Elmira Reformatory in the same direction. The State of New York pays over \$100,000 a year for the support of felons in penitentiaries over whom it has no con-



INTERIOR OF CELL BLOCK FOR WOMEN, CHICAGO HOUSE OF CORRECTION.



trol. This amount paid by the State annually for men who are idle in the penitentiaries would suffice to pay in twenty years the entire cost of the land and buildings for the new State prison to take the place of Sing Sing. The law should forbid the giving out of contracts for the repair or construction of penal institutions, except for the purchase of necessary material, and forbid the employment of outside labor unless the State Commission of Prisons certifies that prison labor is not available.

SEGREGATION OF HABITUAL OFFENDERS.

With intelligent and persistent effort the Women's Prison Association has urged for the last three years the establishment of a State farm for women misdemeanants and has supported the appeal with a large array of facts. That association has pointed out that "there are fully 800 women in the city of Greater New York and 1,000 in the entire State whose records of offenses extend over periods varying from five to twenty years and who are known to have been arrested from 20 to 200 times. * * * In 1903, in the borough of Manhattan, 1,483 sentences were imposed on 103 individual women." These facts show the futility of present methods of dealing with this class of offenders. The bill prepared by the Women's Prison Association has already passed both houses of the Legislature.

This experiment will be looked upon with a great deal of interest, for it is the expression of a conviction which is gaining ground among all who have to deal with persistent offenders of either sex that the only rational way to deal with habitual offenders of any class is to segregate them in a farm or industrial colony under an indeterminate sentence for a prolonged period. New York has passed a law providing imprisonment for habitual felons. Another progressive step would be the establishment of industrial colonies for the large number of male misdemeanants who constitute the bulk of our vagrant class.

Special treatment under an indeterminate sentence is needed also for the army of habitual drunkards for whose permanent cure the short sentence and ordinary prison conditions are wholly ineffectual.

RAISING THE MORAL TONE OF OUR PRISONS.

Much has been done to raise the physical standard of construction and sanitation in our prisons. Cruel punishments are forbidden, a more humane discipline generally prevails, but the reformation of our prison system must go further. What is most of all needed is the effective application of moral forces in prisons. Moral forces are more or less complex. The forces which make for cleanliness, for industry, which develop self-respect for others, courtesy, friendliness, hope, and will-power, are all moral in their agency and result, and, together with the offices of religion, need to be invoked for the reformation of the prisoner. Too many of our penal institutions are simply reservoirs of social sewage, where little is done to filter and purify the contents. The prison atmosphere is often one of depression; constraint is physical rather than moral. Prisoners have testified that the lack of material comforts in prison affected them far less than the lack of moral impulse and inspiration. This is largely due to the character of the guards and keepers. It is not to be expected that a prisoner will be helped much in his obedience to prison rules or in his sense of responsibility to society when he finds certain officers ready for a small consideration to violate the rules of the prison and the laws of the State. They cannot have respect for guards and keepers who through bribery and corruption are law-breakers like themselves. In the last thirty years the standard of character and influence represented by the wardens of the country has been raised to a higher level, but no warden can be successful with a body of disloyal guards selling privileges to prisoners. As a matter of fact the prisoners in some of our institutions have gained much more inspiration toward right conduct from some of their fellow prisoners appointed as school teachers than they have from the body of guards who control their physical movements. There is no more important problem than that of raising the standard of the guards in our prisons.

The establishment of schools for prisoners has been of immense benefit, and the introduction of lectures in addition to regular religious services has brought into many prisons healthful moral and intellectual impulses. The possibilities in this field are far from being exhausted.

THE PUNISHMENT OF THE FAMILY.

One of the most important questions to be considered at the next International Prison Congress is how to correct the offender without placing too great an economic burden upon the family. Such a burden is imposed when the breadwinner is withdrawn from the family. The hardships which ensue are sometimes acute and pitiable. This Association is frequently called upon to relieve by private charity the destitution created by the imprisonment of the husband, father, or son. Attention is called to a special paper on this subject submitted in the body of this report.

The methods of relief possible under our system are, first, the substitution of probation for imprisonment whenever possible; secondly, the shortening of the term of imprisonment by judicious application of parole laws; and, thirdly, the assignment of a portion of the prisoner's earnings to the support of his family.

It is one of the great advantages of probation that industrious offenders are not taken out of employment, nor the economic condition of the family disturbed, except when a fine is imposed; and this under the probation law may be paid in installments. Likewise, the release of the prisoner on parole means the difference between destitution and self-support in many a family.

Where imprisonment is necessary, the only remedy for the destitution of the family is either through public or private charity or by assigning a share of the prisoner's earnings to the family's support. Here the advantage of having the prisoners employed at some form of productive and remunerative labor at once appears. Unless the prisoner earns the cost of his maintenance in prison, and something additional, any appropriation made by the State for the support of the families of prisoners must be made from other revenues. It is entirely possible, however, as it is demonstrated in other states, to conduct a system of productive labor so as to educate and improve the prisoner, pay the cost of his maintenance by the State and leave a balance which may be applied to the support of his family, and this seems the moral and logical solution of a difficult question. It is no rational answer to this proposition to say that the prisoner thus employed competes with free laborers. If the prisoner is placed on probation, he is a competitor; if he goes to work while on

parole, he is likewise a competitor; and he would be not more a competitor if, under proper regulation, a portion of his earnings were available for his family from his labor in prison.

It is unfortunate that the State of New York, which has great need for the application of some such law, particularly pertinent and valuable in the case of wife deserters, should be practically powerless to apply the simple and natural remedy by reason of the disorganization of its prison industries. For the last ten years, the maintenance of the prison system has been a severe burden to the taxpayer because of the enforced idleness of prisoners, but now the burden falls still more heavily upon innocent and destitute mothers and children.

The State of New York is one of the most enlightened and advanced in the Union. It ill comports, however, with its reputation for intelligence and humanity that it should keep every year thousands of prisoners in idleness and impose a grievous burden on the family as well as upon the prisoner and upon the public.

EUGENE SMITH, *President.*

SAMUEL J. BARROWS,
Corresponding Secretary.

REPORT OF THE CORRESPONDING SECRETARY.

The creation of the office of corresponding secretary at the very beginning of the organization of this Association was an indication that it sought to establish relations with the friends of prison reform in other States and other lands. The result in this more than sixty years has been that the Association has availed itself of the experience and judgment of representative leaders in criminal law, prison administration, and every branch of modern penology. Such leaders are found in all parts of the world. Associations for prison reform have multiplied and fraternal exchange has been established between them. The corresponding secretary, on behalf of this Association, takes occasion to acknowledge herewith the generosity of friends at home and abroad in furnishing information concerning movements in their own States and countries, and in sending publications which are a welcome addition to our library.

EXCHANGE OF EXPERIENCE AND INFORMATION.

Perhaps the best practical way to show our appreciation of such help is to render similar aid to those who call upon us for similar information. Our letter-books show how widely extended geographically are the relations of the Association. It is sometimes necessary for us to send to all the States of the Union for special information; and our mail for the year shows, what is equally welcome, that a large number of the States of the Union are frequently sending to us for information, both local and general. This correspondence during the last year has extended over nearly all of the northern and southern States and to all the principal countries in Europe. Information sent to foreign lands has related mainly to the operation of the children's courts and the probation system for adults as well as for minors in the United States; also with reference to the indeterminate sentence and the reformatory system. Interest abroad is constantly growing in the application and development of the idea of children's courts. Already in Great Britain, France, Germany, and Switzerland the principle has been recognized, and attempts have been made to adapt it to English and continental law.

THE INDETERMINATE SENTENCE.

A brief monograph by the corresponding secretary on the indeterminate sentence has been translated into German by Dr. Agnes Geering, entitled "Zu Gunsten des unbestimmten Strafurteils," and published in the *Archiv für Kriminalanthropologie und Kriminalistik*, edited by Professor Hans Gross in Graz, vol. 20, published by F. C. W. Vogel, Leipzig, Germany. Among the notable and more recent contributions to the literature on the indeterminate sentence in this country must be included the striking article on "A Court of Rehabilitation," by Roland Molineux. This article, originally published in "Charities," produced a strong impression, as may be seen from the comments in the daily press and also legal journals. With the consent of Mr. Molineux we have reproduced it in this report.

A TOUR IN THE WEST.

Turning attention more specifically to our own country, the interest of the corresponding secretary has been enlisted in various efforts for the improvement of conditions in other States. In December, during holiday week, I attended a meeting of the Political Science Association, the American Sociological Society, and other affiliated organizations at Madison, Wis., and read a paper on "Legal Obstacles to the Reformation of Prisoners," which is reprinted from the proceedings of that association in this report.

CHICAGO INSTITUTIONS.

From Madison I went to Chicago, and at the invitation of the City Club made an inspection of several of the police stations and also of the Cook County Jail. I met in conference a committee of the magistrates, and addressed the City Club at a meeting presided over by Judge Mack, concerning conditions in Chicago, where an effort is being made to establish a central police station and municipal court building. The writer was much impressed with the remarkable success of the new municipal court of Chicago.

The new juvenile court building has grown out of the necessities of the work of that city, and has been planned and equipped

to meet its exigencies. It is an interesting illustration of how a new idea expressed in the juvenile court will require new physical means for its expression. The John Worthy Home, which has been used to commit boys from the children's court, needs more ground and a better rural environment, and doubtless this will be secured in time. It is too close to the House of Correction, and rests as it were under the traditional shadow of that institution. A new spirit, on the other hand, has been infused into the House of Correction by its superintendent, Mr. Whitman, and it has broken away largely from the old mechanical routine and method. The same spirit which Mr. Whitman awakened in the jail when he was there he has breathed into this institution. He could not change the character of the commitments which are made to it; that depends upon the law and the court; but he has given a new emphasis to the word "correction." Backed up by his board of managers, he believes in the gospel of work, and it has a fine illustration in the institution. The new cell block for women has been built entirely, with the exception of a few minor details, by prisoners, at a reduction of one-third of the cost required to build it by outside labor. It is a good example of a plain, durable, comfortable, sanitary, but unpretentious prison building, without luxurious equipment, but flooded with sunlight and fitted with every sanitary appliance. It is gratifying to note that in building this prison they have broken away from the conventional external corridor, and have adopted a spacious central corridor with a window in every cell, looking out upon the yard.

During my visit there was also in process of erection a new barn, the plans for which were drawn by an inmate of the institution, and the bricks for this, as well as for the cell block, were all made as well as laid up by the prisoners. The prisoners are also extensively employed in digging in the vast pits and preparing material for the city roads and for other purposes.

UNITED STATES PENITENTIARY, LEAVENWORTH.

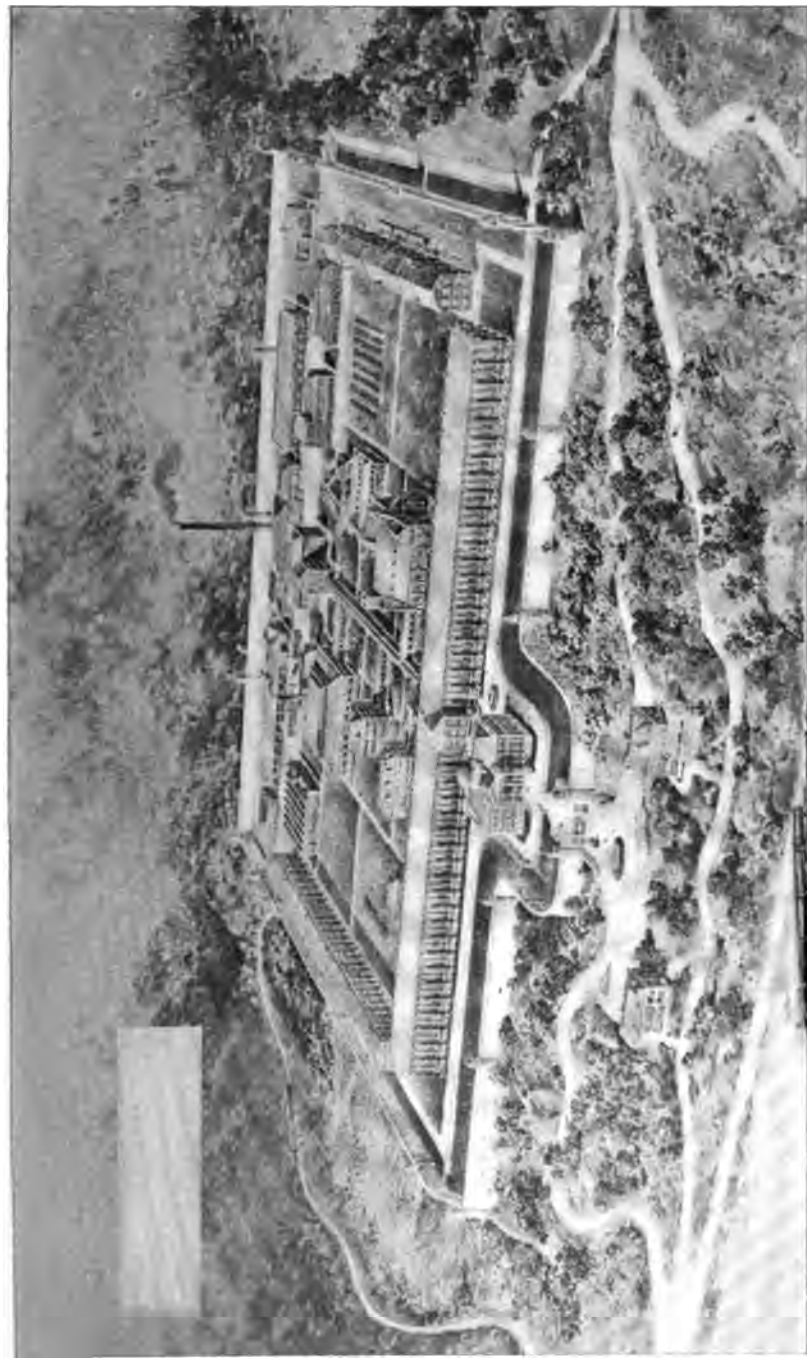
From Chicago I went to Leavenworth, Kan., not only to see what progress had been made in the construction of the United States Penitentiary, but also to avail myself of the wide experience and suggestion of Maj. R. W. McClaughry, the warden of

that institution. As in previous visits to Leavenworth, I was impressed with the amount of work done by prisoners in the erection of this imposing building. While a great saving in expense has resulted from the utilization of prison labor, a still greater gain, both to society and to the prisoner, is the educational result of teaching prisoners productive labor in a variety of trades of practical use to them on their discharge.

OKLAHOMA.

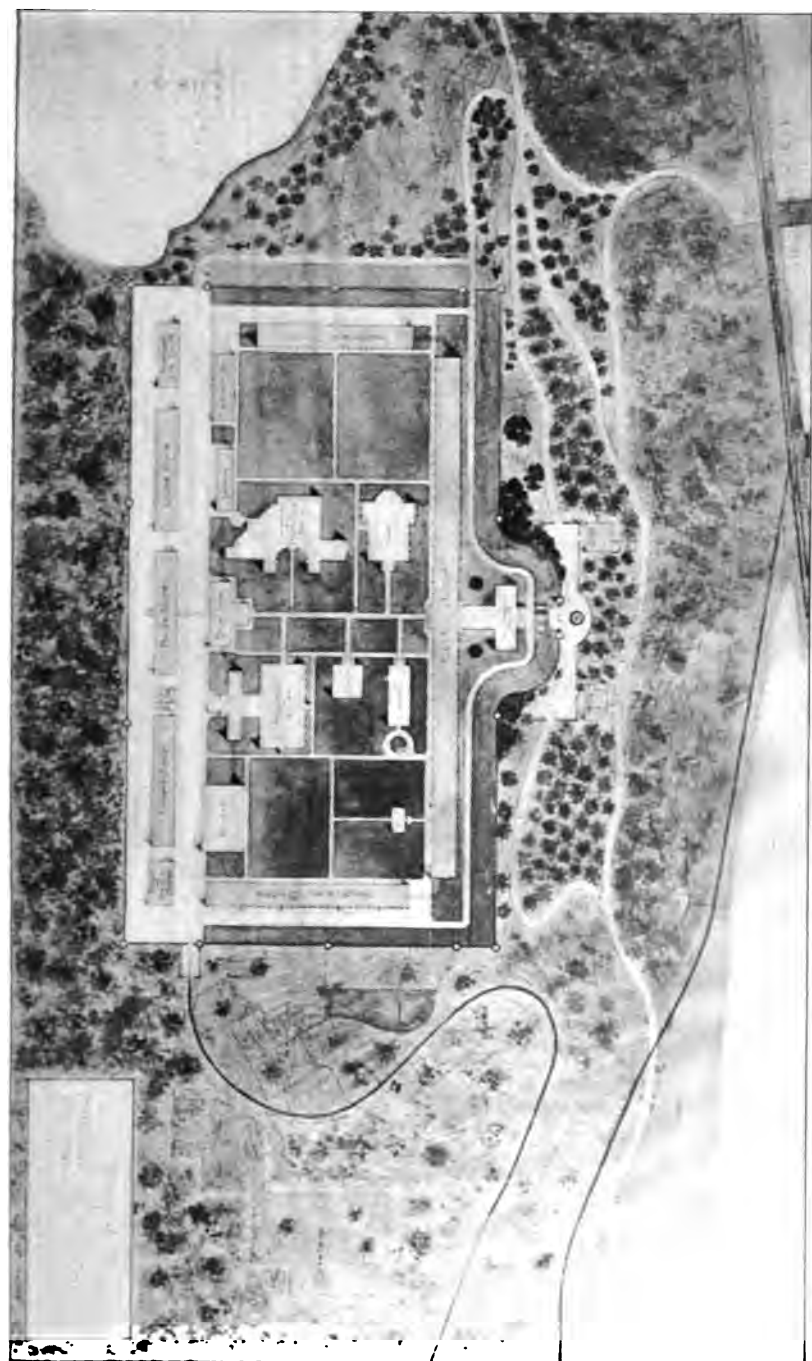
From Leavenworth I went directly to Guthrie, the capital of the new State of Oklahoma. Stimulated by Mr. Molineux's article on "The Court of Rehabilitation," alluded to above, the director of charities and correction, Miss Kate Barnard, had the laudable ambition on entering upon her duties to put Oklahoma in the forefront of the States in the organization of its system of corrections and charities. The opportunity for new legislation and for new work was indeed fascinating. Here was a new State just emerging from its territorial period into the constitutional autonomy of an independent State of the Union. It started on its new career with a new freedom and a new opportunity. It was not hampered by its own traditions, nor was it necessary to hamper it with the traditions of other States. It started with a clean page; its Legislature had just been organized; it was looking courageously toward the future rather than toward the past.

As a result of the warm invitation of Miss Barnard, and with the cordial assent of the president and officers of this Association, I undertook to present to the legislators of Oklahoma some of the results of our experience in the East concerning penal and correctional institutions. The warm reception extended to me by the House of Representatives, which I had the pleasure of addressing on Monday evening, January 6th, and the equally generous reception given to an address before the Senate on the afternoon of January 7th, were proofs that the invitations extended by these bodies to address them were not of a perfunctory character. In subsequent conferences with legislative committees of both chambers I was impressed with the earnestness and vigorous interest of their members in the responsible task they have assumed of shaping new legislation for a new State.



No. 28. BIRDSEYE VIEW. WM. J. BEARDSLEY, ROUGHKEEPSIE, N. Y.





No. 28. BLOCK PLAN.



To the writer it seemed that the most important things for Oklahoma to achieve on the threshold of its new political life were the establishment of a children's court, a probation system for adults, a State reformatory to include both misdemeanants and felons between the ages of sixteen and thirty, and the abolition of the county system of jail control inherited from the territory, replacing it by State control.

A bill establishing children's courts was drawn by Judge Lindsey of Denver, Col. Bills relating to a probation system and also to the establishment of a State reformatory were drawn by the writer. Beyond this it was suggested that, until such time as Oklahoma is ready to build a State penitentiary, her prisoners may, by some arrangement with the Department of Justice at Washington, be sent to the United States Penitentiary at Leavenworth.

It was hardly to be expected that all these and other measures, such as the child labor bill, could pass at the first session of the Legislature. Most of them were well advanced, however, and though they did not reach final passage there was a decided advantage in bringing them into the arena of discussion. It sometimes takes years of agitation in older States to secure the adoption of measures which are eventually recognized as truly beneficent. Our friends in Oklahoma must be patient and wait for the process of education to convince the majority of legislators of the wisdom and value of the new measures proposed. By a majority of several thousand ahead of the vote cast for Governor, Miss Barnard was elected commissioner of Charities and Correction. She brings to her work deep and sympathetic interest, remarkable energy, and a progressive spirit. She is seeking to put Oklahoma to the front, and leaders of philanthropy in many of the States have been helping her with suggestion and advice, the fruit of long experience. The Sage fund, which is under the direction of Mr. John M. Glenn, co-operated in paying the expenses of several visitors to Oklahoma, including those of your corresponding secretary.

CLEVELAND CORRECTIONAL INSTITUTION.

Returning from Oklahoma I availed myself of the kindly invitation to stop over in Cleveland and see the plans of the Municipal Work House of that city. Under the effective leadership of Rev. Harris R. Cooley, Cleveland has entered upon a new and rational experiment. Instead of following the archaic idea that city institutions shall be crowded together in a part of the city valuable for business purposes, but partaking themselves of the character of the slums, the city has bought about two thousand acres of meadow and forest a few miles out upon which to establish the Cleveland Farm Colony. This farm is to be divided into four parts. A good quarry furnishes all the stone required; prisoners are crushing it and spreading it on the road. Five hundred acres will be assigned to the city cemetery, and prisoners will care for the flowers, shrubbery, and lawns. Seventy acres of wood will be kept under the care of a professional forester. The prisoners are to be worked in orchard, vineyards, and great vegetable gardens, to supply the police and fire departments with hay and grain, and the hospitals with fruits, vegetables, butter, poultry, and eggs. There are now eighty persons on the farm. There are three classes of prisoners — trusties, semi-trusties, and men with bad records who need to be locked up.

A large number of men are released on parole. Eleven hundred and sixty men were released during the first two years as against eighty-four during the previous administration. Not more than 14 per cent. of the parole men have come back.

The selection of this farm, the reorganization of the prisoners, the adoption of a more liberal parole system, the greater freedom in the employment of prisoners in healthful out-of-door labor, are all the outgrowth of a new and enlightened spirit which is no less scientific because it is more humane. The Cleveland Farm Colony is no longer an experiment; it has pointed out a way which can be profitably followed by many other cities.

MARYLAND PRISON CONFERENCE.

January 16th and 17th I had the pleasure of attending and also of addressing the conference held under the auspices of the

Maryland Prison Association at Baltimore. Several prominent leaders and officials from other States were present, among them Z. R. Brockway, F. H. Wines, and Cornelius V. Collins, all of whom delivered addresses. Under the presidency of Mr. J. Harry Trego and the secretaryship of Mr. J. O. Stutsman, this old society has taken a new lease of life and developed fresh public interest. It is not only calling attention to the physical condition of jails and penal institutions in the State, but is giving attention to the study of fundamental problems and principles of penology, Though the Maryland Commission appointed under legislative act did not report in favor of the indeterminate sentence, yet the discussion of this subject at this conference has awakened new public interest and brought practical workers more nearly into accord.

OTHER ADDRESSES.

The corresponding secretary also addressed the Delta Phi Club of New York, a club of lawyers, on 'The Reformation of the Criminal,' and the Lawyers' Club of Brooklyn on various aspects of our criminal law; the People's Forum in Brooklyn, and the New Jersey State Conference, both on the important subject of "How to correct the prisoner without laying too much of a burden upon the family." I represented the Association at the New Jersey State Conference of Charities and Correction, November 14 and 15, 1907, and also at the National Conference of Charities and Correction at Richmond in May, 1908, and the meeting of the Liberal Immigration League in New York. I also addressed the students at Wells College, Aurora, N. Y., and in the course of the winter spoke on Sunday mornings first to the congregation of the Temple Beth-El, kindly invited by Rabbi Schulman, and in January spoke with ex-Attorney-General Mayer before the Free Synagogue through the hospitality of Rabbi Stephen S. Wise. The Social Service Department of this Synagogue under Dr. Goldstein is taking under its surveillance young Jewish offenders placed on probation.

By request I have written the article on penology for the new edition of the Encyclopedia of Social Reform, contributed a brief account of the work of the Prison Association for the International Year Book and also made contributions to various

periodicals on penological questions. Akin to this educational work are the ten lectures on penology given before the School of Philanthropy, which is becoming a source of supply for intelligent trained workers in different parts of the field of philanthropy.

FEDERAL LEGISLATION.

A number of visits to Washington were necessary with reference to federal legislation. Most important has been the drafting of the United States parole bill with the valuable assistance of the law committee of the Association. This bill is now before a sub-committee of the judiciary committee of which Judge Foster is chairman. The bill is under consideration by the Department of Justice. There is great need of such a parole bill. The federal prison laws are in this respect far behind many of those in the States, and prisoners fail to get the incentive which comes from good parole laws.

Another bill with reference to the deportation of aliens presented so many difficulties that our law committee reported against it, and your corresponding secretary likewise, as the chairman of a committee appointed by the Liberal Immigration League.

CHILDREN IN QUEENS COUNTY.

An investigation of conditions at the Queens county jail showed that a large number of children were turned over to the care of the sheriff to be taken to and from court, and also to be committed to institutions for children. After presenting the matter to the sheriff and also to Mr. H. K. Preston, superintendent of the Brooklyn Society for Prevention of Cruelty to Children, it has been arranged that the society instead of the sheriff shall handle such cases in the future.

THE SOCIAL-ETHICAL LEAGUE.

The corresponding secretary has represented the association in the organization of the Social-Ethical League, a new federation of churches and of charitable, educational, and civic organizations in Greater New York, for the discussion and promotion of the aims and objects which they hold in common.

SITTING ON THE BENCH.

It is not difficult for the layman to view the procedure of the court from the audience room, and sometimes from the jury; it is more difficult to view it from the standpoint of the judge. By the kind invitation of Judge Foster, of the Court of General Sessions, the corresponding secretary spent several hours on the bench following the course and disposition of a number of cases and discussing them with the judge. One gets a new impression thus of the responsibility of the judge when called upon to sentence offenders. The probation law gives to the judge, however, a new resource and opportunity in the disposition of many cases; and the history of the court, not only for that day, but for several years past, shows how largely Judge Foster has availed himself of this law, and the beneficial results which have followed. Wherever the probation law is well applied and well administered it soon justifies itself.

REGULATION OF THE LIQUOR TRAFFIC.

During last spring, in connection with my work as commissioner for the United States on the International Prison Commission, I made a study to some extent of the regulation of the liquor traffic in the United States and in foreign countries. This shows that the subject of social regulation of the liquor traffic has developed great importance in the United States, and also in several foreign countries. The right of society to protect itself against drugs and spirits which are dangerous to the individual and to social order is now practically conceded, and it is simply a question of method and extent. It is evident that hand in hand with such regulation and repression must go educational efforts and positive measures for providing substitutes for the attractions which frequently enliven the saloon.

ACCESSIONS TO THE LIBRARY.

During the last year valuable accessions have been made to the library of books and periodicals of current interest and importance in English, French, German, Italian, and Spanish.

During the writer's visit to Spain in 1907, his interest was awakened in the work of Doña Concepcion Arenal, to whom a monument is now being erected in Spain. The fine work of this lady has been recognized in the principal European countries, United States, and South America. She was an earnest pioneer in prison reform and in educational and charitable work in Spain. The Association is, therefore, to be congratulated on receiving as a gift from her son of a complete edition of her works, in Spanish, in twenty-three volumes. They constitute a mine of information and a source of inspiration to students and workers in the field of charity and prison reform.

OUR PROBATION WORK.

The Prison Association has for many years maintained an agent, Mr. D. E. Kimball, at the Court of General Sessions, whose probation work is now recognized as of the greatest value by the judges of the court. Daily attendance at the court is followed by personal investigation of cases committed to him by the judges. This is one of the most important of all branches of our work. The time will come when this work should be taken up and continued by officers in this court paid by public funds; but until such provision is made we must depend upon our subscribers to support this highly important work.

SAMUEL J. BARROWS,

Corresponding Secretary.

FROM THE JOURNAL OF OUR PROBATION OFFICER.**“A FAIR EXCHANGE” WAS ROBBERY.**

A young Englishman, who had been in the United States but a few months, was employed as an attendant in one of the palatial baths uptown; he was willing and attentive to his duties, and soon gained the confidence of his employers. Under the rules, employees had to pay for anything broken or destroyed, and this young man broke a tumbler, the price of which was taken from his wages. He resolved, as he put it, “to get square,” so he took a quantity of the finest linen to his home and secreted it, but made no attempt to sell or dispose of it. His arrest followed and for many weeks he was locked up in the Tombs waiting trial. When the case was brought into court he told where the goods were hidden, and they were found intact. At the time of his arrest he was about to be married and the young woman interceded for him with the judge.

On my recommendation he was released on probation, and he is now working for the firm that caused his arrest.

BIGAMY CASES.

Bigamy is not usually included in the list of crimes for which probation is regarded as a remedy, but Judge Foster of the General Sessions Court has, on my recommendation, applied it in three cases, two of which have proved that it is a good way to dispose of them. In one case a bond was exacted from the man to support the children by his legal marriage. The wife, refusing any help from him, had instituted proceedings for a divorce; another bond was exacted compelling him to support the second wife. Both bonds were given and the defendant is now on probation, bearing the heavy burden brought on himself as best he can by hard work, and neither woman will live with him. He seems to be getting his punishment as he goes along.

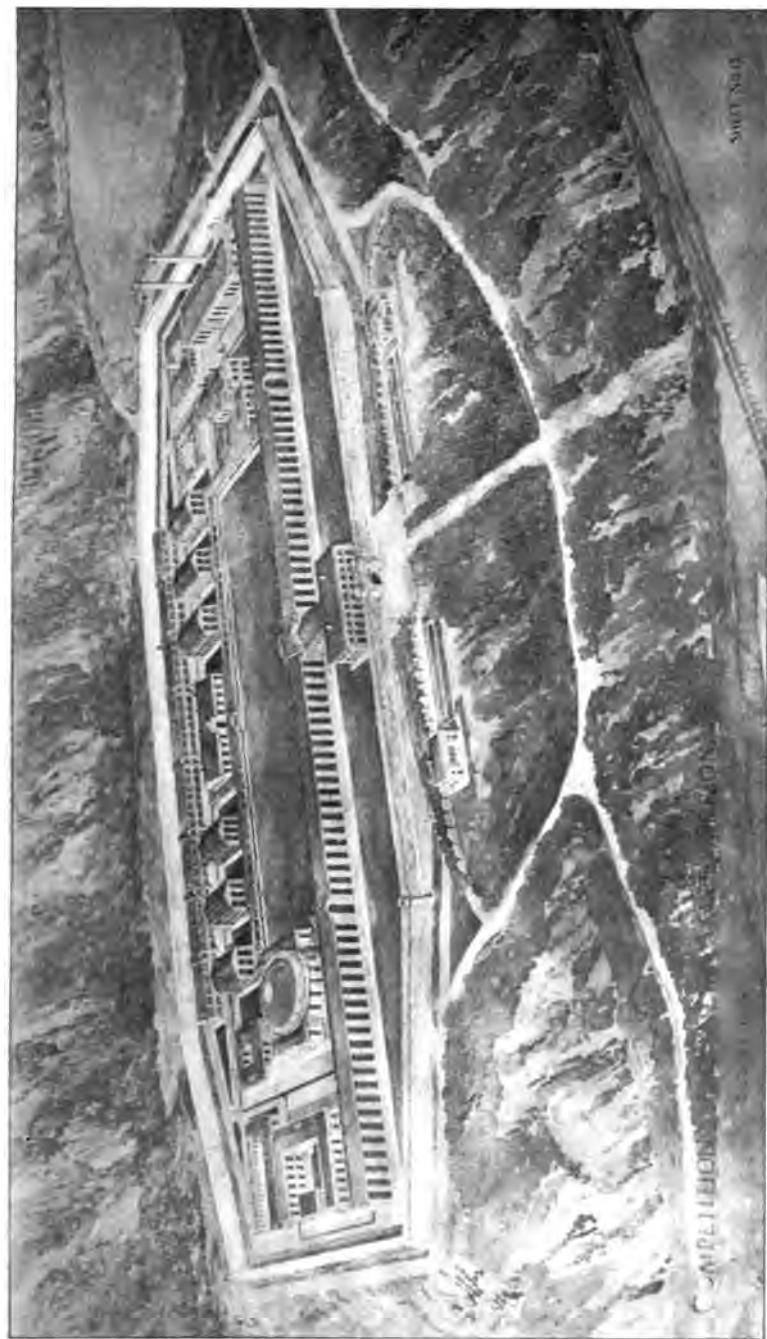
Another bigamy case in which probation was applied is that of a woman — a poor, hard-working servant who spoke but little English and married several men, each time hoping to have a home she could call her own. On investigation I found that none

of the men she married had given her any support, and on my report she was released on probation. She is very regular in making reports, is still working as a domestic servant, and is content to live a "life of single blessedness."

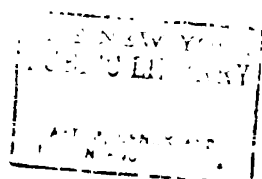
The third is a case which shows the result of failure to obey the court's order while on probation. The prisoner was an ice-wagon driver, and in the course of his business met and became intimate with a young servant girl through delivering ice at her employer's house. She was infatuated with him, and after a year he married her, as he said, "to legitimize" their child, although he had a wife, to whom he had been married eight years, living a short distance away. The second one learned of his duplicity and caused his arrest. He pleaded guilty, and, much to the surprise of all interested, his real wife interceded for him, expressed a willingness to forgive him and entreated the court to let him go. I did not feel that the case was one that called for such great mercy, because of the child. The judge gave the matter much thought and finally released him on probation, with orders to pay \$4 a week to the support of the infant of the woman he had wronged. His employer took him back again and for a few months his conduct was good. Then he began to drink and gamble, and the wife who had done so much for him had to break up her comfortable home. I caused him to be arrested and he knows to-day what it means to violate probation, for he is serving five years in State prison.

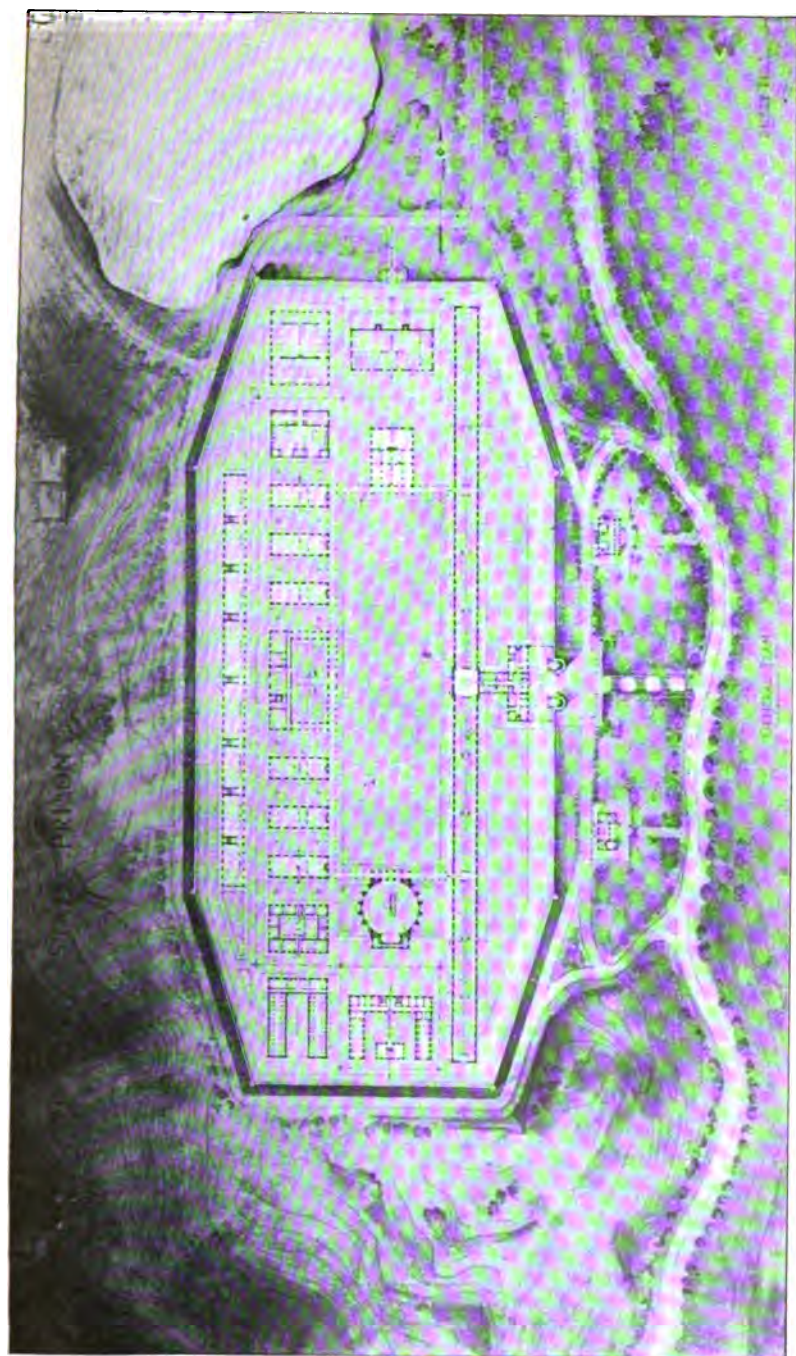
A DEVOTED SON.

Frank P——, a country boy, came to the city nine years ago, obtained employment in a business house, and by good conduct and strict attention to business, secured promotion and a comfortable salary. Each week it was his custom to send a part of his weekly earnings to his aged mother in his country home. His father sickened and died, which put the entire burden of the mother's support on the son; while she was in good health his income was sufficient for both. He visited her at times, but she would not leave her old home and come to the city. She was taken seriously ill, and the attendant expense was so great that the



No. 30. BIRDSEYE VIEW. WARREN & WETMORE, NEW YORK.





No. 30. BLOCK PLAN.



son could not keep up the payments. Driven to desperation by his troubles, the young man took some of his employer's money, intending, as he said, to return it to the cash drawer when his mother recovered. She did not get well again, but her son's crime, committed for her sake, had been discovered and her much loved son was in the City Prison awaiting trial for grand larceny. When arraigned in court he pleaded guilty and threw himself on the mercy of the court. The case was referred to me for investigation as probation officer, and an inquiry was made as to his record. The mayor of the town where he was born, as well as judges and bank presidents, sent letters certifying that his past had been blameless and that he had always been respected in the community.

His employers, who made the charge against him, knew nothing of the probation system; but when it was explained, they entered heartily into the spirit of it by joining with his friends in asking for the court's mercy. Friends made up the shortage in the defendant's cash account, and on my presenting a written report certifying to the truth of the young man's story, sentence was suspended and the young fellow was released on probation in the custody of this association. The friends who had stood by him in his hour of need procured work for him in a business house, and he is now, as the judge expressed it, "serving his sentence out of prison" by reporting each week at the Prison Association office. He proved to be grateful and appreciative, and is regular in making his reports.

HONESTY THE BEST POLICY.

A working painter and decorator in business on his own account, with money in the bank and an unusually comfortable home, was found in the Tombs, after having pleaded guilty to the crime of larceny, waiting sentence. While doing something in an uptown house, he saw a gold watch lying on a dressing table and no one in the room. An irresistible impulse seized him to steal it and he put it in his pocket. The same night he was arrested, and the stolen property found on him. Why he took it he could not explain; he did not need money, and made no at-

tempt to dispose of the property. He paid a lawyer \$200 and was locked up for some time. I recommended probation and it was granted. He is now carrying on his business and has learned that it is not only good policy but that it pays to be honest.

AN OFFICIOUS BUTLER.

A young Swede asked to have his case investigated, as he was not guilty of the crime charged against him, although under a misapprehension he had said he was, and was only waiting to be sentenced. He had been employed by some of the prominent families of this city and had a number of references giving him a high character as to honesty and ability. It seems that his employer went to Europe and left on the table the silver which had been used at the last meal, instead of waiting for it to be cleaned and put into the safe. Fearing that it might be stolen, the defendant secreted it and the butler caused his arrest. I caused his plea of guilty to be canceled, and a jury trial exonerated him.

OUR PAROLE WORK.

REPORT OF WILLIAM HENRY SPENCER,

Chief of the Parole Department of the Prison Association of New York.

On the twentieth of every month a little army of men, ranging in age somewhere between sixteen and thirty, averaging about twenty-one years, are paroled to our office from Elmira Reformatory. They are representatives of about all the varied peoples of Europe as well as of the West Indies, North and South America, with an occasional son of the Orient. In religious faith, they are registered as Catholics, Protestants and Hebrews, in the proportion of about one-half Catholics, one-quarter Protestants and one-quarter Hebrews. A recent arrival declared himself "atheist." By far the most common crimes for which they are sentenced are grand larceny (including pocket-picking) and burglary, first, second and third degrees. Among other crimes are the following: Felonious assault, carrying burglar's tools or concealed weapons, abduction, receiving stolen goods, arson, violation of the election law, sodomy, bigamy and a solitary case with us now of an attempt at suicide. For the most part, they are confined at Elmira only about thirteen months, the minimum time. When this is the case, it shows an excellent record for which the compensation is a speedy parole. Once in three months on the fifteenth, there is a special parole of a few men denominated "ten-day men." They are so called, because being entitled by their good records to parole, they are granted ten days' liberty to look for work in the city for themselves,—having no friends here to look for work for them in advance of their coming. It is unnecessary to add that they are never returned for failure to find work during this limited time, provided they make strenuous effort. Although comparatively few in numbers (47 last year) ten-day men are a source of anxious solicitude and protracted perplexity to the parole agent who must advise and encourage them in their desperate effort to find employment. They are not required to divulge all their secrets every time they apply for a position, for to tell the "boss" that they had just come down from Elmira would be almost surely

fatal to their prospects; but if they may keep silent in regard to their antecedents, they must speak when asked for their references, and what can they say? To whom can they refer? How heavily are they handicapped! Without friends in the city, without references from employers, with only three or four dollars in their pockets to pay for their room and board until they get the job they know not where to find, the outlook is pretty discouraging. Yet I *must* encourage and I *can*, for I have never yet known a man who persevered to fail in the end to find some place, although I have known them to be four and even six weeks in the search. But we have to help many of them with meal and lodging tickets.

Happily the regularly paroled constitute the vast majority. They come to positions secured for them generally through the solicitation of friends, although sometimes secured by means of letters written employers from the institution. Great care must be exercised in investigating offers of work by us to assure ourselves that they are genuine,—not “fake” offers given solely to facilitate the boy’s release. We register the latter as fast as detected under “Black List.” It is of the utmost importance that the paroled should go to some place to work as soon as he comes down from Elmira. The inability to get work readily accounts, no doubt, for the disproportionate number among the ten-day men who “fall down” and are wanted as delinquents or criminals. There is nothing that so safeguards the weak in will as the steady job. It is a part of the duty of the parole agent to see that the paroled man not only goes to work, but that he sticks to his job. If he does this, if he makes six regular monthly reports and so far as we can ascertain has faithfully observed the conditions of his parole, he is then recommended for “absolute release” and passes from under the jurisdiction of Elmira Reformatory. It is a rational theory that if a young man will work six months, a habit of honest industry will become ingrained in his physical and moral makeup that will persist and control his conduct for the next six months, and on and on till the months lengthen into years and the boy is a man and thoroughly reformed. Happily this is generally true, but there are many exceptions.

The morning after the young man’s arrival in the city he comes to our office, bringing his parole papers, and is registered and in-

structed regarding his duties while on parole, chief of which are to work steadily at the place to which he is paroled unless granted permission to change employers; to avoid evil companions and the use of intoxicating liquors; to keep good hours and to make regular monthly reports in writing of his earnings, savings and general conduct. Frequently some relative, the father or mother, brother or sister, accompanies the boy when he makes his arrival report. I recall several instances of what you might call a standard story by a certain type of mother. I recognize her as she comes with her boy and remember the story she told me when she called on a former occasion. It runs something like this:

“My Johnnie is not a bad boy at heart, but he is not quite right at his head. You see when a little fellow, not quite six years old, he ‘hurt’ himself fearful by falling down stairs, and ever since that he has acted queer at times and has given me a deal of trouble. He is not quite right in his head, Mr. Spencer, and that is why.”

But the mother appears to think Johnnie’s head and heart too all right this advent morning. There is a light in her eye and the note of assurance in her voice, prophetic of better days to come. And why should she not feel confident? Does not Johnnie tell her, as he writes the superintendent in his first letter, that the “reformatory has made a man of him?” Has it not indeed done more than anything else ever did for him? Has it not taught him at least the rudiments of a trade? Has he not been initiated into the mysteries of geography, arithmetic, reading, spelling and writing in the evening schools? Has he not been scrubbed physically in the bathroom and straightened physically by the military drill and both scrubbed and straightened morally and intellectually by the lessons in ethical theory and practice, in personal manners, in business principles and social conduct, which he has received in Elmira during the last year? Never in all his life was Johnnie so clean in person, in speech, in habits, and so altogether promising as now in his brand new suit of clothes.

No wonder the dear mother is proud of her boy and that her face is radiant with faith and hope and joy that her troubles are over at last; that God’s great blessing so long prayed for has descended;

that her "Johnnie" has come back to her redeemed because reformed. And despite the shock after shock of disappointment that I have received, I cannot help sharing with that mother in a measure her great confidence. As I look into the faces of the long line of young men standing before me, I put away from my thought for the moment what experience has taught me: that some of the number will betray that trust almost before the month has passed; that more will go astray before six months have passed; and before six years have gone by there will be wide gaps in that line made by men who are serving time in Sing Sing for crimes that you would not believe an Elmira boy would be guilty of: "'Tis true, 'tis pity, pity 'tis 'tis true."

Now, the interesting problem which we have been specially endeavoring to solve during the last two years is, what proportion of the young men paroled from Elmira to New York city may be truly reckoned as reformed? In other words, we have been trying to answer for our own satisfaction and the satisfaction of the public the very first question and the most vital one which the thoughtful public interested in reform work is always asking.

"HOW DO THE BOYS TURN OUT?"

Two years ago, in our annual report, we said "It is frequently stated that at least 80 per cent. of our paroled Elmira men are never again enrolled among criminals. Possibly this per cent. is a little too large. Possibly 75 per cent. is nearer the truth. However, we do not need to know just what per cent. of the reformed actually is to be absolutely certain that the reformatory system in the treatment of criminals is justified by results."

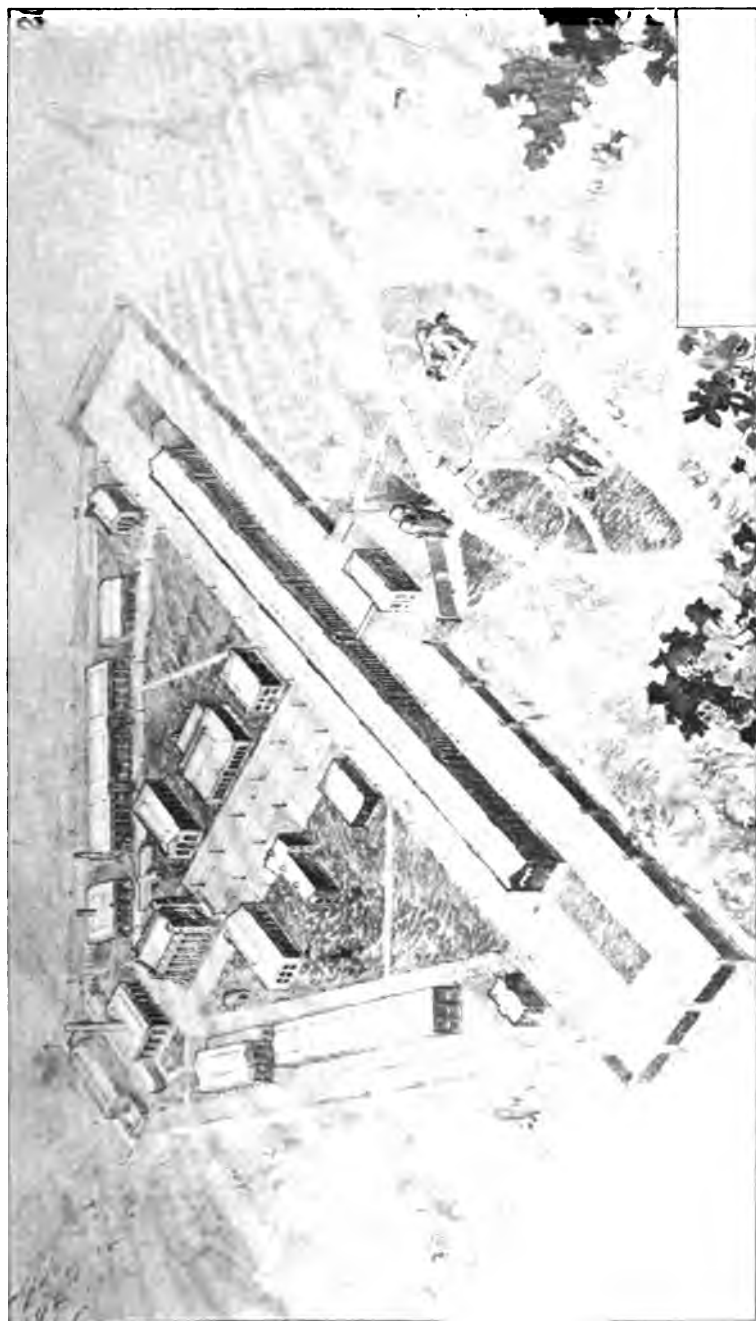
And justified it surely is by results, although the results for the year 1907 as regards the per cent. of reformed are not up to the high level expressed in the above quotation. Since that report was made, the parole office of the Prison Association through the intelligent, energetic, and resourceful co-operation of my assistant, Sergeant Grant Williams, has been as never before keeping tab on the course of Elmira men, not simply six months while on parole to us, but in a measure for three, four, five, and six years after they have received their absolute releases and have passed out from the jurisdiction of the reformatory. The result of this in-

quiry has convinced us all that considerably less than 80 per cent. must be regarded as actually reformed. It seems to have been too easily assumed that the young men who reported themselves at work for six months and who therefore received their absolute releases were practically reformed. Very little effort was made (or could be made with the limited aid for inspection at command) to determine whether these reports were true or false, much less to keep track of the men after their six months had expired. Our experience during the last two years has satisfied us that unquestionably many Elmira men in the years past were granted absolute releases for faithful performance of duties whose reports were false from start to finish; who never worked, many of them, a single day in the places to which they were paroled to work or anywhere else; who gravely presented themselves once a month with a lie on their lips and a lie in their letters and went out of the office with a chuckle of contempt for the "guys" who stamped their reports and sent them up for the consolation and edification of the superintendent at Elmira. They may sometimes do that to-day, but they attempt it at their peril.

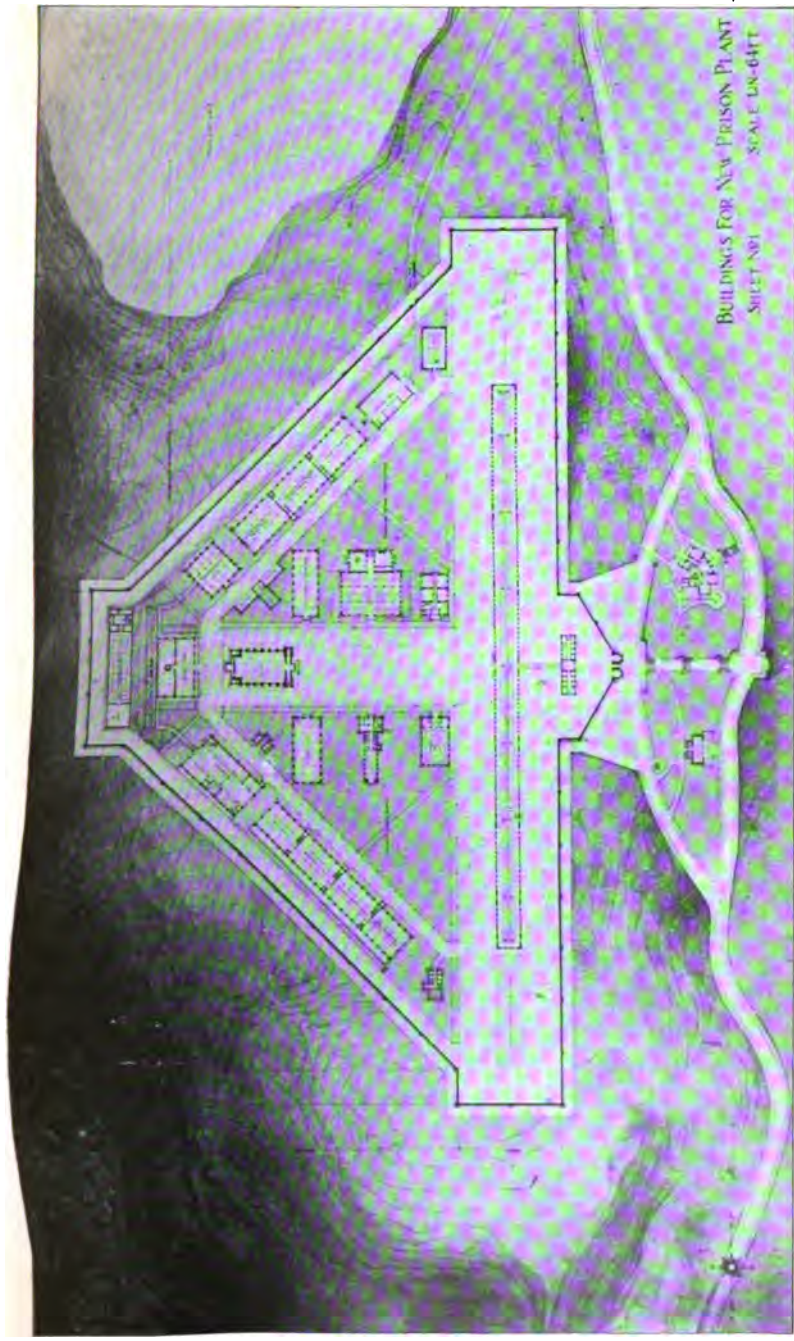
In the same way, it has been too easily assumed that the men who received their absolute releases were not only richly entitled to them, but that their names would probably never be heard of again in criminal ways; and they never were heard of, and in many cases for the simple reason that no one made it his special business to hear of them, to hunt for their names in the court calendar and for their persons with photographs in hand among the crowds confined in the Tombs and other prisons in the city. Your agent confesses that he has been astounded, and he may add deeply pained by the number of Elmira men absolutely released for good behavior in the years past discovered during the year by our detective under arrest and awaiting trial in the jails of Brooklyn and Manhattan. Of course we have no jurisdiction over these men. Our only object in making this laborious search and extra registry has been to answer with a closer approximation to the truth the old, old question "How do the Elmira boys turn out?" The following table answers for the year 1907:

Number of men paroled from Elmira.....	619	
Number of men paroled from Napanoch.....	87	
		— 706
		=====
Number of men granted absolute releases from Elmira.	454	
Number of men granted absolute releases from Napanoch	35	
		— 489
		=====
Warrants issued for crime by Elmira.....	68	
Warrants issued for delinquency in reports by Elmira..	134	
		— 202
		=====
Warrants issued by Napanoch for crimes.....	10	
Warrants issued for delinquency in reports by Napanoch	24	
		— 34
		=====
Number of men returned to Elmira.....	53	
Number of men returned to Napanoch.....	9	
		— 62
		=====
Number of men sentenced to State prison from Elmira, new crimes	29	
Number of Napanoch men sentenced to State prison...	4	
		— 33
		=====
Number of Elmira men sentenced to penitentiary....	12	
Number of Napanoch men sentenced to penitentiary..	1	
		— 13
		=====
Number Elmira men wanted for or convicted of crimes after receiving their absolute release.....	51	
		=====

The men paroled to us from the Eastern New York Reformatory at Napanoch were transferred there from Elmira, and for convenience we will include them under the head of Elmira. Perhaps as a rule they are slightly older men. In several cases, their time has expired during parole, a fact which slightly favors the Napanoch record.

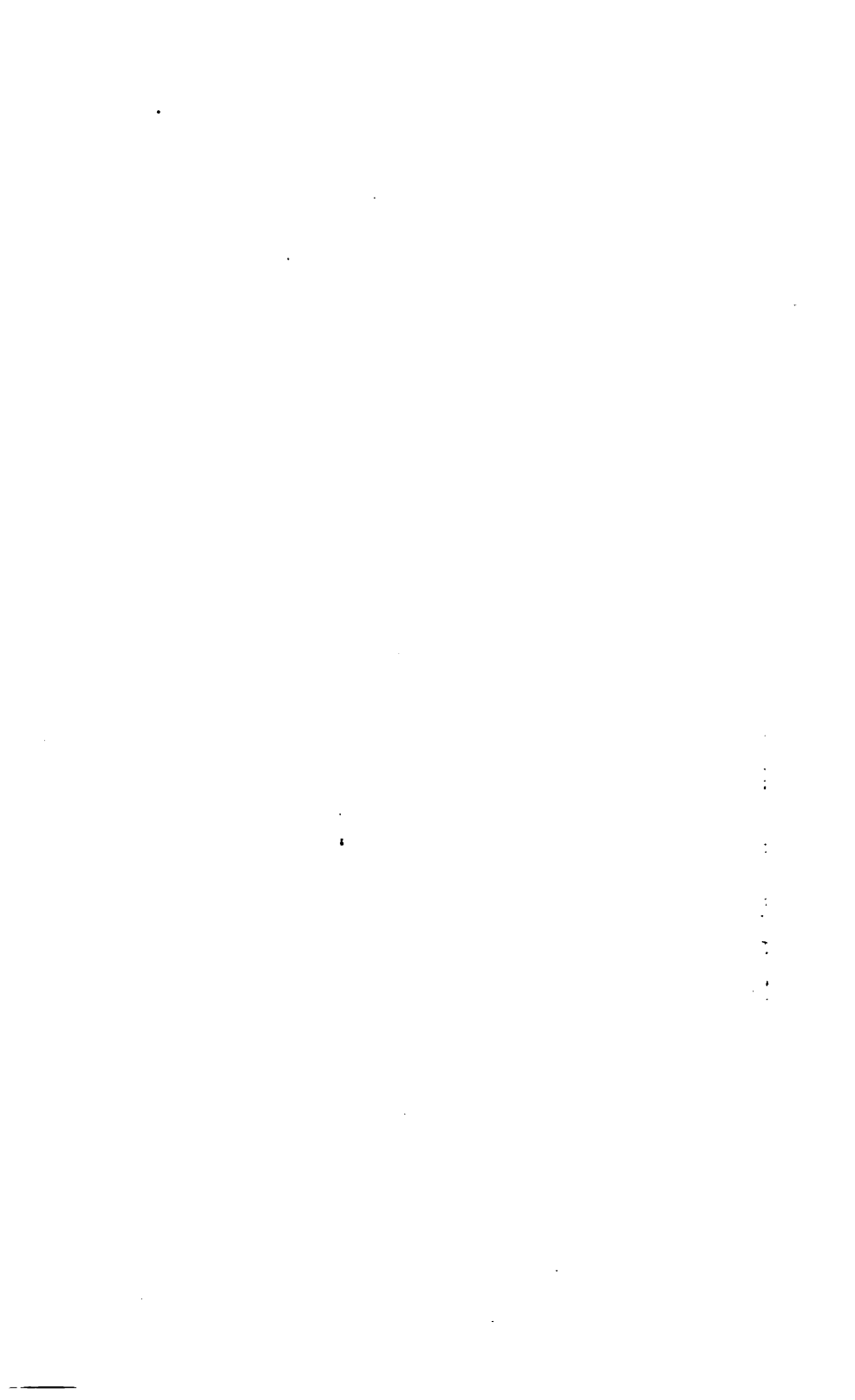


No. 20. BIRDSEYE VIEW. HERTS & TALLANT, NEW YORK.



BUILDINGS FOR NEW PRISON PLANT
SHEET NO. 1 SCALE 1/8"=1'-0"

No. 20. BLOCK PLAN.



In order to ascertain the ratio of criminals to the number paroled, we must first determine whom to class as "criminals." It is manifest first that those are criminals for whom warrants for crime were asked and received. The total of this list is 78. It is also manifest that we should include men convicted of crimes after they have received their absolute releases, no matter how long after, so that we do not duplicate the names in different years. This list for last year was 51. We ought also to add men on parole sentenced to State prison for whom no Elmira warrants were issued. Last year there were, so far as we know, none. This gives us 78+51 known criminals out of a total parole of 706 men, that is, 18-27/100, in round numbers 20 per cent.

But this is not all. In the long list of those for whom warrants for "delinquents" were issued, amounting to 158 in all, it is certain that a portion of these should be classed as criminals. Some of these we discover later to be such, and transfer the record to the crime list. Some of these men drift away to other places near and remote and sooner or later are lodged in other prisons, frequently under a different name and are never identified. Some are criminals at large. Just how great a proportion of these delinquents ought to be classed as criminals is a question which we have often discussed. Last year we reckoned 50 per cent. In the judgment of my assistants, this does not err on the side of severity. If then we add one-half of 158 (the number of delinquents) to 129 (the number of known criminals) we have 208 estimated criminals out of 706 paroled men, that is almost exactly 30 per cent. If it be objected that our estimate of 50 per cent. of delinquents as criminals is excessive, we reply that this is possibly true, but even if so, this excess might be more than made up by counting the *undetected* and *unreported*. On the whole, our investigations appear to compel the conclusion that not 80 per cent., not even 75 per cent., probably not over 70 per cent of the Elmira paroled men *during the last year*, should be classed among the reformed. But we hope for a somewhat better showing the present year. We have no doubt that the hard times struck especially hard the Elmira boys. Numbers of them during the storm and stress sought our office for counsel; a few for temporary assistance. As a rule, the best of them have no surplus of

moral stamina. They have all they can do to walk upright when work is plenty and wages high. How easy it is when they can no longer see the chance to earn the honest dollar to drift into the company of those who tell them it pays better to do crooked work! And the gray dawn of the morning finds the young man nursing his sores on a seat in the Tombs. The names of how many such are in our list of 51 we shall never know, but that some are there we may well believe. And we ought also to take into consideration the fact that there was unusual activity and efficiency on the part of the city police. The hard times struck hard the Elmira man, both the man on parole and the man long past his parole. He fell down and was gathered in. This we believe in part accounts for the swollen record of Elmira criminals during the year just past.

And may we not also infer that the scandal wave in the world of high finance had its effect on the operators in the lower stratum of society? They read how this smart crook looted a railroad; another an insurance company; another a bank — how a whole gang of men in the guise of contractors picked the city's pockets out of hundreds of thousands of dollars, and yet were never rounded up by the police. How can the Elmira boy help reasoning that "flim flam" games and pocket picking are not only lucrative but safe and respectable if done on a grand scale! How must their bosoms swell with ambition to rise on stepping stones of petit larceny, to grand larceny, on and up and ever higher to the mountain peaks of what one has called "glorious larceny." Then no more prison vans, but automobiles of your own, and still enjoy your seat in the fashionable church and on the stock exchange and your position in "society!" Is it possible to doubt the insidiously corrupting influence of the exploits of the magnificent crooks upon the little ones we have to deal with?

While not exculpating the small offenders in the least, shall we not insist on equal condemnation for these great criminals?

It is not to be inferred because we fail to reach an ideal standard in the reform of the inmates of Elmira that our failure impeaches the principle of reform. We are facing in the right direction. There should be no backward step. It is settled as an axiom in penology as in social ethics that the best way to protect society is to reform the criminal, when this is possible. It is simply a ques-

tion of ways and means. Even though our estimated ratio of the reform were but 50 per cent., as a Brooklyn judge recently guesses it to be, or as low as one-third, or even one-fourth of the paroled, should we not even then feel morally compelled to save this smaller fraction if possible? And how determine what is possible without experiment? Would you not think it worth while to try to reform 25 per cent. of the younger criminals if your son or your brother were among the number? Put yourself in his place. Yes, but you say perhaps, put yourself in the place of the plundered public. True! Let us do both. The public has a right to be protected. Our first duty indeed is to the public, but what if we can make 70 per cent. or 50 per cent of the Elmira young men a *part of that public*, law-abiding, useful citizens, helping us in the business of public protection? Is it not our social duty to do so; even to make a hazardous attempt to succeed? Protect the public by all means, but protect the public by reforming the criminal if possible, and study diligently what is possible. Certainly we ought not to be satisfied with reforming 70 per cent. of the men sent up to Elmira. It raises the question whether wiser judges would have committed so many incorrigibles to that institution, or whether a longer term of service, severer discipline, an indeterminate sentence, or some other remedy would not reduce that 30 per cent. to 25 per cent. or even 20 per cent. as absolutely and hopelessly irreclaimable?

Certainly we have not yet reached the mark of our high calling, for a high calling it is. No grander opportunity for home missionary work, for consecrated service, for holiest ministry, for the salvation of souls, can be found anywhere on this earth.

So long as we find such fruit of our endeavor society as the following, we shall never get discouraged.

ONE OF OUR BOYS.

A few days ago I went to investigate an offer of work to one of the Elmira boys by a certain "John J. S." residing on Amsterdam avenue. I called at the number and was directed to a man standing on the corner of the street in company with several other young men across the way. I walked over and inquired for "John J. S." "I am Mr. S.," replied one of the number, stepping toward me.

Leading him a little to one side, I asked if he had offered work to a young man in Elmira by the name of W. R.

"Yes," he replied.

"What is your work?"

"Piano and furniture moving," at the same time calling my attention to two handsome vans standing near.

"What wages do you pay?"

"Ten dollars per week."

"Promises to be a pretty steady job?"

"Yes, it's been slack, but the first of May is near and we shall soon be very busy."

"Well, I replied, "I think it's safe to parole the boy to you."

As I was about to leave, he said: "Don't you know me, Mr. Spencer?"

I confessed that I did not.

"Well, I'm one of your boys."

I expressed my surprise and delight as I seized his hand.

"What! you boss of this business?"

"Yes, sir."

"When were you paroled?"

"Over two years ago."

"And do you mean to tell me that you own these moving vans?"

"Yes, sir, see my name on the sides? That horse there," pointing to a beautiful bay groomed like a Fifth avenue coach horse, "I paid \$275 for a few days ago. That whole rig cost me \$800 and the one standing next cost me nearly as much. I am married now, live across the street over that store and getting on fine. I am worth now over \$2,000 and I made it all in this business since I got my absolute release."

An ex-Elmira man an employer of an Elmira paroled boy like himself two years ago; a man prosperous in an honest business, respected in the community, protecting instead of plundering his fellow man, is a somewhat pleasanter picture to contemplate than the same man doing time in Sing Sing, which but for the reformatory he would be.

Appended are a few sample monthly reports. The letters are addressed to Superintendent Scott of the Elmira and Napanoch Reformatories.

A LIVELY EASTER TRADE.

“Mr. Scott:

“DEAR FRIEND.—I now send you my fifth monthly report. I am still working for the same firm and getting along nicely, with good opportunities for advancement, of which I am taking advantage by visiting Cooper Institute and the Y. M. C. A. lectures to improve my education. Between this and my last report I earned \$45. My pay day before Easter Sunday I had \$30 saved. I bought a suit of clothes for Easter for \$12, a hat for \$2, a pair of shoes for \$2.50, two neckties for 50 cents and two summer suits of underwear for \$1.75. I bought my father a hat for \$2 as my Easter present, and I gave my mother \$5, to help dress my younger brothers and sister for Easter. I spent \$1.50 to go Easter calling with my father on some of my relatives. I have \$4 left after all expenses. Since Easter I have saved \$6, my total savings now being \$10. I hope to keep on saving till I reach the one hundred mark.

“Hoping you will find this report satisfactory, I remain

“Your obedient servant,

“(Signed.) JOHN J. R.”

DISTANCE BREAKS NOT THE LINK OF OBLIGATION.

MAINZ (HESSAN) GERMANY.

Mr. J. F. Scott, General Superintendent of Elmira Reformatory:

DEAR SIR.—I am writing to you, honored sir, in behalf of my sixth report. I am working by my old boss yet and earn twenty marks a week. My health is very well, only my dear mother is always sick. I wish she would be better some day. Well, I beg you to send me my absolute release, so I can say I am no more ex-prisoner. I inclose my lines with many regards.

Very respectfully,

“H. G. W.”

A GOOD WAGE-EARNER.

Nov. 14, 1907.

DEAR MR. SCOTT.—I take great pleasure in writing you this letter, as it is my first report. I was paroled on the 15th of October, and it took me five days to get a job at my trade, marble polishing. When I told Mr. Spencer about my other place of work, he gave me permission to look for something in my own line. I am working for C. L. He is the man that put me in the

business seven years ago. I am getting \$4 per day, which are the union wages. I have worked twenty-one days, earning \$84. I work five and a half days a week, drawing \$22 a week, of which I give my mother \$12 and keep \$10 for myself. I owe \$40 on my union card for dues since I have been away, and I have to pay \$5 a week until I get it squared up. I have no money saved at present on account of buying clothes, and besides I am in debt on account of my brother dying, and he was not insured, so we have to pay the undertaker in weekly payments. My mother has been working since I have been away and it was she who kept the house together. I have seven brothers and I am the main support of the family. I think them 15 months I have done up there has done me all the good in the world and I think it has done all the reforming I needed; I have no more to say at present.

Yours truly,
J. M. C. K.

WIPING JOINTS AN OPEN DOOR TO SUCCESS.

BROOKLYN, April 20, 1908.

Mr. Joseph F. Scott, Elmira Reformatory:

DEAR SIR.—I am still working for Mr. A. J. H., and I am getting along fine with my trade and in the near future I expect to be a full-fledged mechanic. If I did not learn how to wipe joints in the reformatory, I don't think I would be able to get along as good as I am now and it would be a few years from now before I could master my trade, but when I know how to wipe joints, the rest is easy. I will close now as I have nothing else to say.

Very respectfully yours,
"A. S. A."

INDUSTRIOUS AND RELIGIOUS.

NOVEMBER 7, 1907.

Mr. Scott:

DEAR SIR.—I write to you earnestly a few lines with the hope of finding you in your best health as I always hope to do. I merely say that I have changed my life. I left all the bad companions, places and everything and I go home at half-past eight every evening. This month I work every day except Sundays and election day and I earned \$33.25. I spent \$20 for board

and other expenses and I saved \$13.25 in time of need. I am going to confession next Saturday and to communion Sunday. I intend to lead an honest life hereafter. I will thank you all the time for your love and kindness to the poor people, and I pray God to guide your steps in all your life.

Yours very truly,
L. L.

A GRATEFUL LETTER.

The following letter was received from the grateful wife of a paroled prisoner who is now doing well in the state of Minnesota.

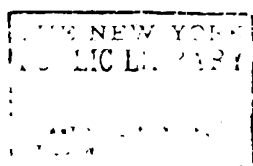
MY DEAR FRIEND MR. BARROWS.—We feel it highly our dutie to write and tel you where we are we are at the above address in a very nice neighborhood, we have three nice large rooms and they are nice too, they are as large as seven rooms in New York, well the right way to say it we have the whole floar through for 8 dollars a month, Pat is working for 2 dollars a day he has got fat and strong & healthy & so I myself we left Newyork August 21st and got here on 23d then my oldest Brother sent us out to Devils Lake for the harvest it only cost a few dollars as Pat got out on the harvest ticket 2 dollars and got a cut rate ticket 5 dollars, 400 miles from Minneapolis so Pat worked there up to last Monday 24th then we came back to Minneapolis on Tuesday & got our rooms on Thursday & we are quite happie I hope all our trouble is now over this is a fine place for work and a cheap place for food and rent. The people are very nice and plain good neighbors I am delighted to be here. Oh if I had only been heare 6 years ago but it is better late than never.

RELIEF WORK.

ANNUAL REPORT DISCHARGED PRISONERS, 1907.	Janu- ary.	Febru- ary.	March.	April.	May.	June.	July.	August.	Septem- ber.	Octo- ber.	Novem- ber.	Decem- ber.	Sum- mary.
New York penitentiary....	27	25	28	27	27	26	20	18	18	25	21	39	301
Sing Sing prison.....	5	3	4	6	5	5	6	5	2	2	3	5	51
Canton prison.....	3	1	2	1	1	3	7	6	2	3	3	3	35
Auburn prison.....	1	1	0	3	1	2	4	2	3	1	2	4	24
Elmira reformatory.....	67	62	67	58	65	77	49	46	55	48	42	70	706
Other prisons.....	7	6	8	7	8	7	7	8	7	8	8	12	93
Summary of prisoners.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1 210
Given work.....	10	11	12	11	10	11	10	11	8	9	8	9	121
Steady work.....	8	7	10	8	7	9	11	12	5	7	9	9	102
Days work in building.....	61	60	68	76	75	76	80	83	74	76	78	80	887
Transportation.....	5	5	3	3	4	3	4	5	3	3	4	5	47
Garments given.....	54	50	56	70	49	34	40	44	59	42	56	65	619
Lodgings given.....	78	74	93	104	80	86	90	114	76	106	98	191	1 280
Meals given.....	481	437	578	528	514	486	516	554	443	576	468	817	6 398
Books given.....	200	200	200	200	100	0	0	100	50	240	300	200	1 890



WENDELL PRIME, D.D.



REV. WENDELL PRIME, D.D.

MEMORIAL NOTE.

Rev. Dr. Wendell Prime, who was one of our vice-presidents from 1890 till his death at Zurich, Switzerland, November 28, 1907, was born at Matteawan, New York, August 3, 1837. His father was the Rev. Dr. Samuel Irenaeus Prime, for many years one of the great leaders in religious journalism as editor of the New York Observer. The son was graduated at Columbia College in 1856 and at Princeton Theological Seminary in 1860. He only held two pastorates, one in Detroit, Michigan, from 1861 to 1866, and one in Newburgh, N. Y., from 1869-75. His state of health compelled him to resign each of these charges, and in 1876 he left the pastorate and until 1893 was connected with the "New York Observer," of which he was for several years editor-in-chief. Again his health compelled him to resign, but by securing absolute seclusion, he was able to prolong his days to what is called life's allotted span. He was, however, only at intervals equal to any literary work. The greater part of these fourteen years was spent in Europe, and there he made many friends.

He was indeed an attractive personality and possessed of unusual culture. Had his health allowed him, he would doubtless have done much in the way of authorship. As it was, his contributions, aside from editorials, included an essay upon the "Fifteenth Century Bible" and the preparation of his father's "Memoirs." These two titles indicate the character of the man. He was a lover of man and an intelligent book collector, especially of early printed books and editions of Don Quixote, of which he had really a remarkable collection. It is interesting to know that his incunabula and early bibles are preserved in Williams College Library, and his editions of Don Quixote in the Lenox Library.

PUNISHING THE FAMILY.

BY SAMUEL J. BARROWS,

President of the International Prison Commission.

Self-castigation was a form of monkish penitence. It has largely gone out of fashion. It is imitated, however, in our criminal law, when society imposes upon itself the penalty which is supposed to be inflicted upon the prisoner.

We speak of our penal institutions. We think of them as Sing Sing, Trenton, Columbus, or Leavenworth. But the places of punishment are not there alone: we find them in a thousand homes. Under our present legal system we are punishing the family in many cases much more than we punish the offender.

In ancient times the family, not the individual, was the social unit; and punishment was visited upon the family of which the offender was a member. This principle is expressed in the oldest code of which we have knowledge, the code of Hammurabi. It was embodied in other codes. Punishment in mediæval times was not only visited upon the offender, but upon his children and children's children. His estates were confiscated: his children were reduced from affluence to poverty.

To-day we have given up the patriarchal system: society recognizes the individual as the unit. We do not hold the family responsible for the offense of the member, unless there is direct evidence of complicity. In some States we have wisely passed laws holding parents and guardians responsible for encouraging or contributing to the delinquency of their children. These laws, however, are not passed to punish the family, but for the sake of protecting the child against the tyranny, cruelty or immorality of its parents.

Of course there is a spiritual and social law, a law of the affections, by which, when one member suffers, all members suffer with it. We cannot relieve the family of the shame and distress which may come upon it through the dishonorable or criminal acts of one of its members. But we do not place a stigma by law upon such a family, and do not deprive it of civic or legal privileges. The Constitution of the United States declares that "no

bill of attainder shall be passed," and "no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted." We did not punish Edwin Booth for the crime of his brother. On the other hand, the sympathy of the American people went out to him, and they took occasion to give to him tender expressions of sympathy and love. Thus in modern life it is the individual and not the family which is singled out by our laws for punishment.

Our theory and our principles are right, but unfortunately our practice contradicts our principles. In spite of the fact that we profess not to punish the family for the acts of its members, that is what we are doing all the time. The prisoner's family not only has to bear the mental suffering which comes from the wrongdoing of a member, but an economic burden is often laid upon the family greater than it can bear. The prisoner himself is sure of plenty of food and shelter: he will not receive any notice to quit because he cannot pay his rent. It is the wife, the mother, the children, who suffer in this way. Poignant distress follows the sudden removal of the breadwinner. The family had been living close to the margin of comfort; it has no accumulated resources; it depends upon the labor of husband or father, and when this is withdrawn, it is plunged into poverty and destitution.

There are those who will say that there are institutions to which the children can be sent and that private charity can bear the burden as it often must. But this does not solve the problem: it avoids it. The fact is that the State is responsible for creating a situation by which the man becomes a nonproducer, or by which a portion of his earnings are not available for his family.

Besides, the sending of children to institutions means the breaking up of the family. I have been struck again and again with the splendid courage of a wife or mother who will work off her finger-ends rather than break up her home and send her children away. The heroism of the battlefield is spectacular and transient compared with the long-enduring, inconspicuous heroism of these faithful mothers.

A proposition has been lately made to establish a home for the children of prisoners, and the sympathies of some good people have been enlisted in the enterprise; but there are better ways

of dealing with the problem than breaking up the home and placing the children of prisoners together in an institution where the very fact that they are sent there advertises their family shame.

The most effective way of dealing with the offender is not to relieve him of the responsibility which belongs to him as father, husband, or son, and not to place him under conditions where he cannot fulfill it to the extent of assisting in the support of his family. Experience has proved that, considered simply from the standpoint of the individual offender, a great many cases can be treated by probation without imprisonment. But probation is also assuming new importance from the standpoint of the family. It is a mistake to take away the breadwinner when the safety of society does not require it. In many cases a slight fine may be imposed. This, of course, is some tax upon the resources of the family, especially when the man is imprisoned because he cannot pay the fine. When the fine is paid on instalments and during an extended time of probation, the result is better for the State, because it is able to collect it, and much better for the family, because it is able to pay it. A young man placed on probation in the custody of the Prison Association of New York was required by the judge as the condition of such probation, to pay back the \$200 he had taken. He has been paying it back at the rate of \$10 a month and at the last report had paid \$190. Three things have been accomplished in this case. First, the young man has been able to pay back to a family that could ill-afford to lose it the money he had stolen; secondly, he has been able to support himself and contribute to the support of his family; thirdly, he has saved the State of New York the cost of his imprisonment. With these economic gains there is, greater than all, the moral restoration of the young man himself. One of the best evidences of moral conversion is, as in the case of Zaccheus, the proof that reparation follows wrong.

Relief of the same character as that made possible by probation is secured also by parole. This term is applied to the conditional liberation of offenders whom it has been found necessary to commit to prison. In many cases the sentence of a man may be shortened profitably after he has served about a third of the maxi-

mum time of his sentence imposed by law. From a study made by Mr. Amos W. Butler of the financial results of parole in Indiana, covering a period of four years and seven months, it appeared that 1,340 men from the two prisons of that State earned, on parole, \$272,861.68, of which amount they had saved in hand \$48,063.71. One of the greatest arguments for parole in many cases is the opportunity and inspiration which will come to the prisoner from resuming his social and domestic duties.

Another way in which we punish the family is by our system of prison slavery, under which we compel a man to labor for the State without paying him anything for his work. While it is desirable that prisoners should pay the cost of their maintenance and cost of supervision by the State, it is not desirable that the State should use them as slaves and confiscate all their earnings. In some States large sums of money are made out of prisoners and turned over to the public treasury, but none of this surplus is assigned to the prisoner or his family. In some States and countries better usage prevails; the prisoner is allowed a share of his earnings, and has the moral and economic impulse which come from productive labor. While a part of his earnings is retained until his discharge, the rest of it can be used to good advantage in aiding the prisoner's family.

Bad as is the slavery of excessive and unrequited labor, it is not so bad as that of compulsory and unrequited idleness. In the State of New York the idleness in penitentiaries and jails is simply deplorable. There are many prisoners capable of earning the full cost of their maintenance by the State and an additional amount to pay the rent and subsistence of their family. The prisoners of the Baltimore Penitentiary earned last year \$40,000 over and above expenses which was turned over to the State; but they also made \$40,000 for themselves. One of the best things a man can possibly learn in prison, if he has not learned it before, is how to get his living by some earnest occupation, while getting the inspiration that comes from some reward for his labor.

There is one form of offence in which the ordinary treatment of the offender is conspicuously inefficient and absurd. The

meanest of all offences in the category of crime is that of the wife deserter, especially if he be a wife beater. It is an offence shamefully prevalent. How shall we deal with it? The ordinary method of imprisonment is ineffectual. In some States, including New York, the wife deserter has been made a felon. But placing the offender in a high category of crime does not deter nor correct him. It has the advantage that it enables one State to make a requisition upon another State for the extradition of the offender, but this has little result for the family. A wife deserter escapes from New York to New Jersey; he is extradited, sent back, and imprisoned; but in punishing the man the State punishes itself, for he does not earn half the cost of his imprisonment, and his family is no better off. Some of these cases may be dealt with by placing the prisoner under bonds to support his family, and obliging him to assign to his wife a portion of his wages. In Massachusetts this plan has worked successfully. In the Superior Court of Suffolk County, Massachusetts, \$2,113 were applied last year to the support of families. But the finer showing in this direction is in Connecticut where in the year ending Sept. 30, 1907, \$18,692 were collected and expended for the families of probationers, a sum nearly three times as great as the salaries and expenses of probation officers. Judge DeLacey of the Juvenile Court of Washington collected and paid over to his court more than \$6,000.

There are cases in which probation fails. The prisoner is lazy and thriftless. He will not work unless compelled to do so. Then the only rational way seems to be for society to place the man where he will be forced to work and apply his wages, or a portion thereof, to the support of his family. So far as I know, the first State to apply this principle to these cases was Ohio. In 1889 the Toledo Humane Society, largely through the influence of its president, Mr. James M. Brown, secured the passage of a law applied to the Toledo workhouse, providing that, where a fine had been imposed, such offender might be imprisoned in the workhouse and kept at hard labor at the rate of sixty cents per day for each day's labor, and a sum equal to forty cents per day should be paid to the maintenance of his family. This law remained in operation until about three years ago, but when

the Municipal Code was revised it was repealed with the rest of the old code.

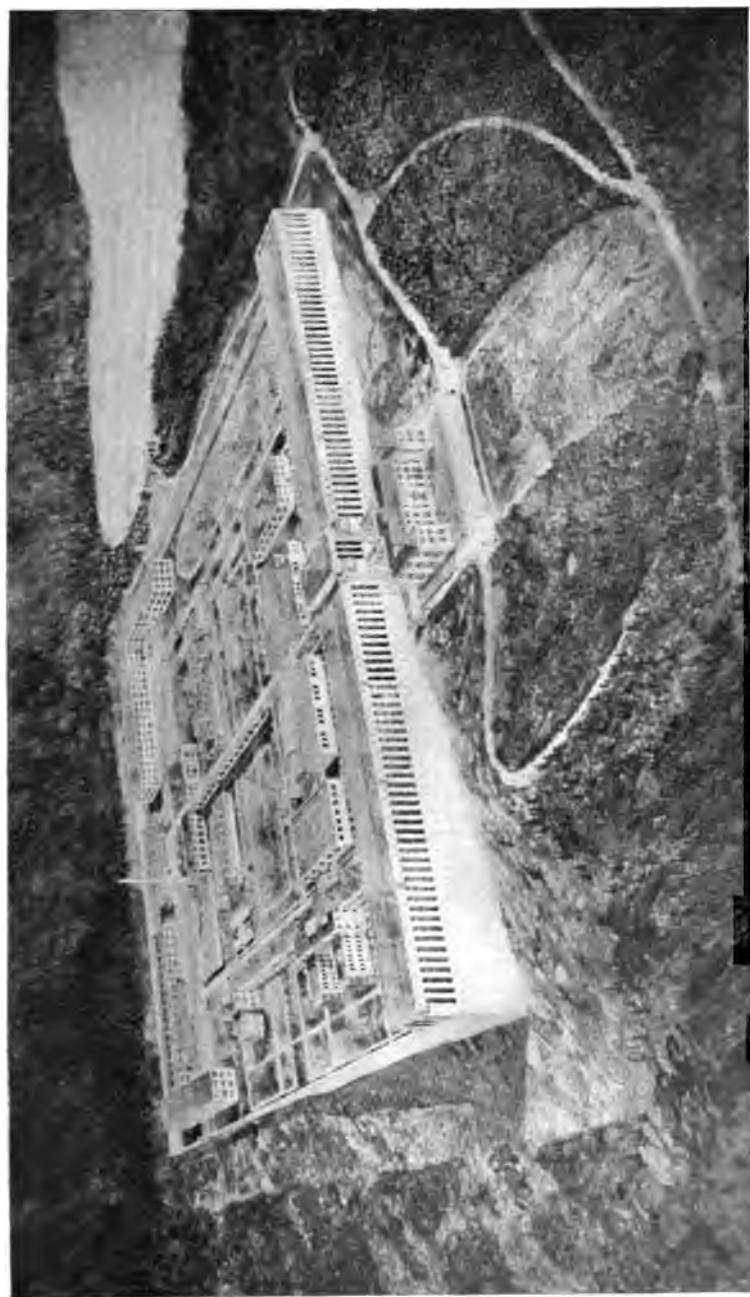
In March, 1907, Colorado enacted a law of similar character, providing that "whenever any able-bodied person is confined in the county jail having been convicted of the non-support of his wife or minor children, the county shall pay toward the support of such wife or minor children not less than fifty cents nor more than one dollar per day for each day such person shall work. This law went into effect July 5, 1907, and there has not been time enough to judge as to its effectiveness.

March 23, 1906, a law was passed by the United States Congress applying the same principle to the District of Columbia for cases of non-support, or cases of wife-desertion. It contains a provision for probation and the assignment of a weekly sum from the wages of the offender under an order of the court for the support of his family; but in case this fails and imprisonment is ordered, the superintendent of the workhouse is directed to pay fifty cents a day to the wife and children for each day's hard labor performed by the prisoner. The cautious way in which Congress committed itself to the proposition is shown in the small appropriation, \$200, made for this purpose. This was soon exhausted; but, as already said, Judge DeLacey has used the probation feature of the law with excellent effect.

The Brooklyn Juvenile Probation Association, which has made a thorough study of this question, has drafted a similar bill and recommended its passage in New York State. It has not yet, however, been introduced in the Legislature.

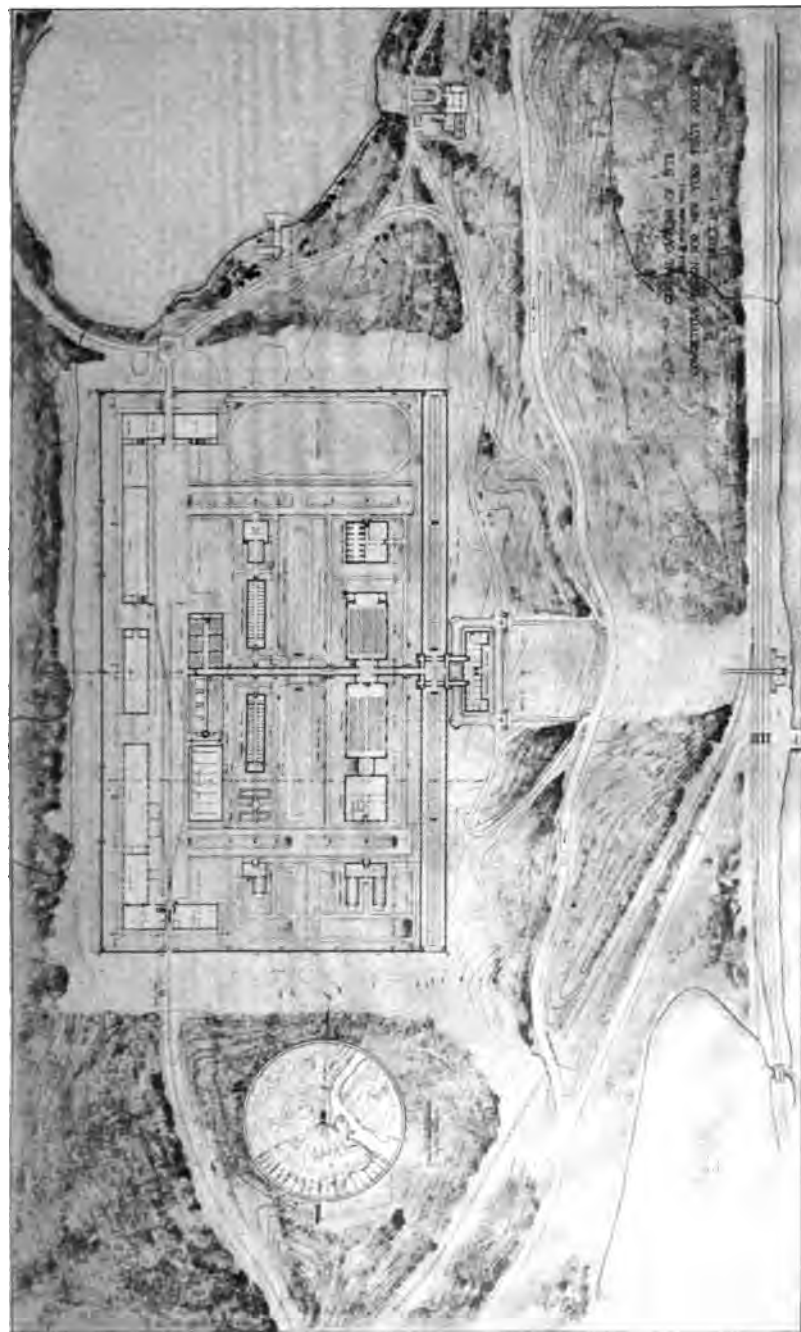
In the United States Penitentiary at Leavenworth an effectual method is applied to prisoners refusing to work. They are placed in a separate building and each in a separate cell, large and well lighted, and with an abundant supply of stone to be broken. As a condition of getting his dinner a man must break a prescribed quantity of stone: unless this is done the meal fails to appear. When labor is placed on such a gastronomic basis the prisoner soon succumbs. Such a method might effectually be applied to the criminal idle husband or wife deserter, only I would carry it further. I would set before the prisoner some opportunity for remunerative labor, something better than stone breaking. I

would say to him: "John, you have a wife and two children. They are thin and hungry. They are half starved by your neglect; here is some work for you. When you have finished it, you will have earned enough to pay for a dinner for your wife and children. Then here is more work for yourself. When you have earned a dinner for your wife and children and for yourself, your own dinner will be sent to you. " I would have such committed under the indeterminate sentence, released conditionally on parole under adequate supervision, but recommitted to compulsory productive labor if the man lapses into voluntary idleness. This would be, I think, an effectual way of dealing with this meanest of all offenders, and would do away with the tragic comedy of punishing the family instead of the man.



No. 15. BIRDSEYE VIEW. WESTINGHOUSE, CHURCH, KERR & CO., NEW YORK.





No. 15. BLOCK PLAN.



THE COURT OF REHABILITATION.**ROLAND B. MOLINEUX.**

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No human being, whatsoever his crime, should be sentenced to a definite term in prison. For this there are a thousand reasons. For the moment let one suffice — the financial. The United States spends one billion dollars a year to achieve a failure. Annually it spends five hundred millions more on a fruitless and farcical contest with crime than it does on all its works of charity, religion, and education. And these conditions, this appalling cost, are, strange as it may seem, due solely to the sentencing of criminals to a definite punishment.

Again, and a better reason: Imprisonment, as inflicted to-day, is worse than useless. It is in itself a crime. In almost every case, it releases the criminal a more dangerous menace than before his incarceration. Our criminal law aims to benefit society. In this it fails. It should aim to benefit the criminal. In this it could succeed. We endeavor to cure crime by a system childishly futile. As well might we sentence the lunatic to three months in an asylum, or the victim of smallpox to thirty days in the hospital, at the end of these periods to turn them loose, whether mad or sane, cured or still diseased.

The criminal court should determine but one thing — the guilt or innocence of the defendant. Has he or has he not committed the crime of which he is accused? If guilty, whether of murder or of disorderly conduct, the one and unvarying sentence should be banishment. The criminal code should be stripped to a bare list of the acts constituting crimes and misdemeanors, and provision made for a uniform treatment of all those convicted. Banishment, which should be spent in prison, should be absolutely indeterminate. By his own deed a man has proven himself unworthy to dwell among his fellow men. He must remain apart from them forever, or until restored by citizenship by a "court of rehabilitation." Is not this equitable? It has required a judge and jury to deprive him of liberty, only by a judge and jury should he be restored. The second judge and jury should form the court of

rehabilitation. It must be free from sentiment, have nothing to do with pardon, remain uninfluenced by political power or the prisoner's friends, be actuated only by absolute justice.

Do this, bring the question down to the simple one of guilt or innocence, let the sole permissible sentence for any crime be banishment with the only means of gaining freedom through a court of rehabilitation, and every evil of the criminal law will disappear.

I grant that prevention is better than a cure. The ideal method would be to prevent crime and make the criminal impossible by doing away with poverty, drunkenness, and the thousand and one causes of crime. But when you have accomplished this, you will have created an earthly paradise. Perhaps such a day will come. But in the meantime something practical should be attempted.

At present the State punishes its criminals by death, fine, or imprisonment. But does death restore the dead? Is the fine given to the one injured? Does imprisonment of the criminal compensate his victim? Have these, or any punishment, protected society either by reforming the criminal or by deterring others from crime? In other words, has not the State, so clear in defining the duties of the individual to itself, failed in its duties to the individual?

In all ages, punishment by the State has had but three motives—vengeance, example, and protection. But for the State to wreak vengeance is both absurd and unjust; we abandoned that system long ago.

Is punishment, then, preventive of increased crime in that the death or imprisonment of the criminal acts as a deterrent to others? To stimulate ambition or inculcate fear, effective example demands publicity. Rewards for bravery, the crowning of scholarship, the attainment of knighthood, these are matters of public ceremony. Not in secluded spots were martyrs burned and crucified. In public once the criminal was executed and his drawn and quartered body suspended by chains upon the gibbet. Stocks and whipping posts, the lashing of heretics through the streets, all these were public shows.

To-day we cannot claim example as our purpose when the life of the murderer is taken in the pale light of dawn, in a little room, and in the presence only of a few scientists. Surely, it is not these

that need the warning! If punishment is intended as an example, let us be consistent; let the executions take place in the public parks and let the State declare the occasions holidays for the school children.

Even ignoring the likelihood that the command "Thou shalt not kill" applies equally to the State and to the individual, is the killing by the State an example fitted to deter the individual from a similar act? Is it, in fact, much less absurd than if the State were to commit theft in order to prove that it is wrong to steal? Moreover, punishment as example fails because every criminal, regardless of the fate of others, either hopes to escape detection, or, as in certain cases, he commits the crime in the heat of passion, when there is no thought or care of the consequence.

The protection of society by means of a definite term of imprisonment inflicted upon the criminal is but temporary. The theory must be, then, that imprisonment will cure by frightening the criminal into permanent good behavior. Were this theory correct, there would be no second offenses, just as there would be no more first offenders if punishment were effective as an example. The truth is that first offenses are increasing and that even the reformatories do not prevent a second. More than forty per cent. of the inmates of reformatories have served time in other institutions; twenty per cent. conduct themselves unsatisfactorily when released on parole, and nearly ten per cent. return to crime within a year after regaining freedom.

These conditions result from a definite, a pseudo-mathematical infliction of punishment, in which every crime is labeled and a price put upon it previous to its commission. We punish in supposed accordance with the gravity of the crime actually committed. The less the amount stolen, the fewer the years of commitment. The fact that the thief took all that he could find or all that he could carry; that petty larceny is not grand larceny merely because the opportunity did not present itself, or because the opportunity was not what had been expected; that every housebreaker is a potential assassin who has not killed because the necessity did not arise — these are not permitted to enter into the question of punishment. The willingness or an unsuccessful attempt are lightly dealt with. Yet, can we differentiate? Is not the mental

condition of all these criminals the same? If one may be returned to society with safety to the lives and property of his fellows, may not all?

In truth it is as impossible to punish "crime" as to reward harmony. "Crime" is intangible, as is sunlight or fragrance. We attempt to punish an abstract quality, whereas only the individuality of the criminal should be considered. Admitting that we should punish him, to what extent should we do so? Absolute justice would reply: "To the extent of his responsibility for his act." The insane murderer is not executed, nor is the child imprisoned for arson. Self-defense annihilates guilt, as almost always does unbearable provocation. Here irresponsibility tempers justice. This should be true of all punishment, yet the criminal law makes no provision for the study of the accused or convicted man's heredity, environment, susceptibility,—a man often of such birth and training that he does not realize one whit more than the child or lunatic that he has done wrong.

Bad example, excitement, fear, egotism, opportunity, wealth and indolence, the special character and particular passions of individual races; imagination, arousing a mistaken but sincere effort to right some social or political wrong; the influence of depraved literature and sensational journalism upon already distorted minds—these do not excuse a crime, but in any rational system they must be considered in the infliction of punishment. With hundreds of others, they are causes for which the condemned was not responsible, but for the effects of which he must suffer under the present system of law, which assumes that the criminal possesses absolute free will to choose between good and evil. In this assumption it sets at naught the law of cause and effect, acknowledged in every department of science. If it be said, "Punish to the extent of responsibility," how determine the responsibility? Offenders must be dealt with as individuals, not as a class or even in classes. Omnipotent knowledge only could decide the exact punishment justly to be given.

Here, then, is the situation. Vengeance, entirely, and example, largely, have been abandoned as motives for imprisonment; the more modern attempt to make it protective of society is a failure. The present indeterminate sentence is farcical because it is inde-

terminate in name only; and, even aside from the failure of all punishment, as such, it is wrong because it is humanly impossible to determine what is just punishment.

Imprisonment now means practically for a fixed period. Beyond the slight reduction for good behavior, nothing the prisoner can do will hasten its termination. Good behavior becomes, therefore, mere inertia. Is there in such an existence, any effort, either by himself or by the State, at a cure, reformation, rehabilitation — call it what you will? To make the convict walk in a degrading manner, to garb him in humiliating fashion, to assign him a number in which all individuality vanishes, to force him to the performance of certain tasks at the mechanical command of a bell or whistle, or worse, to submit him to the horrors of enforced solitude and idleness of mind or body, or both — is there in such a system anything influencing him for good, sending him out a useful, an honest and an ambitious member of society?

If he has been convicted of a crime of some originality or daring or peculiar atrocity, or of one having a tinge of the romantic, the mysterious, or the picturesque, keepers and prisoners alike make of him a sort of hero. Visitors eagerly ask about him; jailers exhibit him with the pride of connoisseurs. The ego inseparable from criminality is flattered, developed, further distorted.

In serious truth, conventional prisons are universities wherein are given post-graduate courses in crime. Because he knows something of evil we send a man where he will learn all of evil. "Once a crook always a crook," is the universally cynical, perfectly natural, and not altogether incorrect verdict of police and prison officials. The public shares the belief. The ex-convict is distrusted. Employment is refused him. The first offender soon becomes the habitual criminal, for poverty forces him back to crime.

At the best, then, we have imprisoned Lucifer and liberated Beelzebub. The State spends millions upon capture, nothing upon rehabilitation. Prison experience is conducive to improved physical health. The mental change is for the worse. Physical strength with a prison record adds nothing to a man's honest earn-

ing capacity; it may add greatly to his successful pursuit of crime. The State, indeed, seems desirous that the man shall not reform. Having done nothing for him during his imprisonment, at its close it gives him ten dollars and transportation to the place in which he was convicted—the one spot on earth to which, usually, he should not go. There reside the criminal influences originally sending him to prison; there is his record best known, and because of this, there the probability of securing honest employment is least.

It is within reason to insist that the State, which has ruled that the individual is responsible for his act, has itself certain responsibilities to the individual even after conviction. But at this point, the State at present assumes its whole duty completed, and by both State and society the prisoner is at once abandoned. Such is not the fate of asylum or hospital inmates. Their individual needs receive attention. This the State admits it owes them.

Doubly does this duty to the individual devolve upon the State in its relation to the criminal. The prisoner's mental, moral, and physical condition must be diagnosed and readjusted. Prison life must be one, not of suffering, but of preparation—preparation for liberty. Independence, courage, right thinking, mental discipline—these are the qualities he will need if he is not again to fall. The criminal law should be for his benefit—for the benefit of the one bad citizen in one hundred; only secondarily should it be for that of the ninety and nine good citizens. In short, criminal law should not be for the protection of society, but devote itself to the reformation of the criminal. The commission of crime is the sign that a man needs reformation; it is the red flag which tells the State to sequester and educate him.

The mental attitude of the prisoner is the key to the whole problem of crime and imprisonment. How frequently comes to the lips the expression: "I never even thought of such a thing!" simple and unnecessary indication of the inception of action. Clarify the thoughts of a criminal and he ceases to be a criminal. Imprisonment will always be useless unless it makes a man desire to reform and gives him the means to do so. This is the duty of the State; this is the right of "the man inside."

More frequently than the reformers, prisoners of the intelligent class realize this fundamental truth. An unknown convict, writing in *The Star of Hope* journal of those imprisoned at Sing Sing, recently said:

“The average man in prison is not so radically wicked as he is abominably weak. The only salvation for such a man, then, is to strengthen him, and to educate him to an understanding that life is unmercifully real. He must be braced up, invigorated, with strength of character, and as soon as this great task is accomplished, under ordinary circumstances, he is a fit man to be given one more chance.

In short, his will must be developed. Religious teaching and mission work in prison will not accomplish this; almost invariably they result in purely selfish pretensions at reformation. The errors of philanthropists who theorize in libraries, and all prison workers, rest upon the fact that they have little or no conception of the criminal's mental condition. No prison reformer, however great his experience, however often he may have talked with individual criminals, has overheard confidential conversations among prisoners themselves. Always he is an outsider; always he is regarded as a possible aid to a pardon, a means to liberty; almost always his confidence is flagrantly abused. For these reasons, while all that has been written as to the defects of our present system is correct, no one has ventured beyond an enumeration of the difficulties and failures, and, although prison commissioners are entrusted with the devising of methods that shall bring better results, no cure for crime, no means of reformation of the criminal has been evolved. Yet, with a sentence of “banishment,” and a “court of rehabilitation,” the genuine reformation of criminals would be certain.

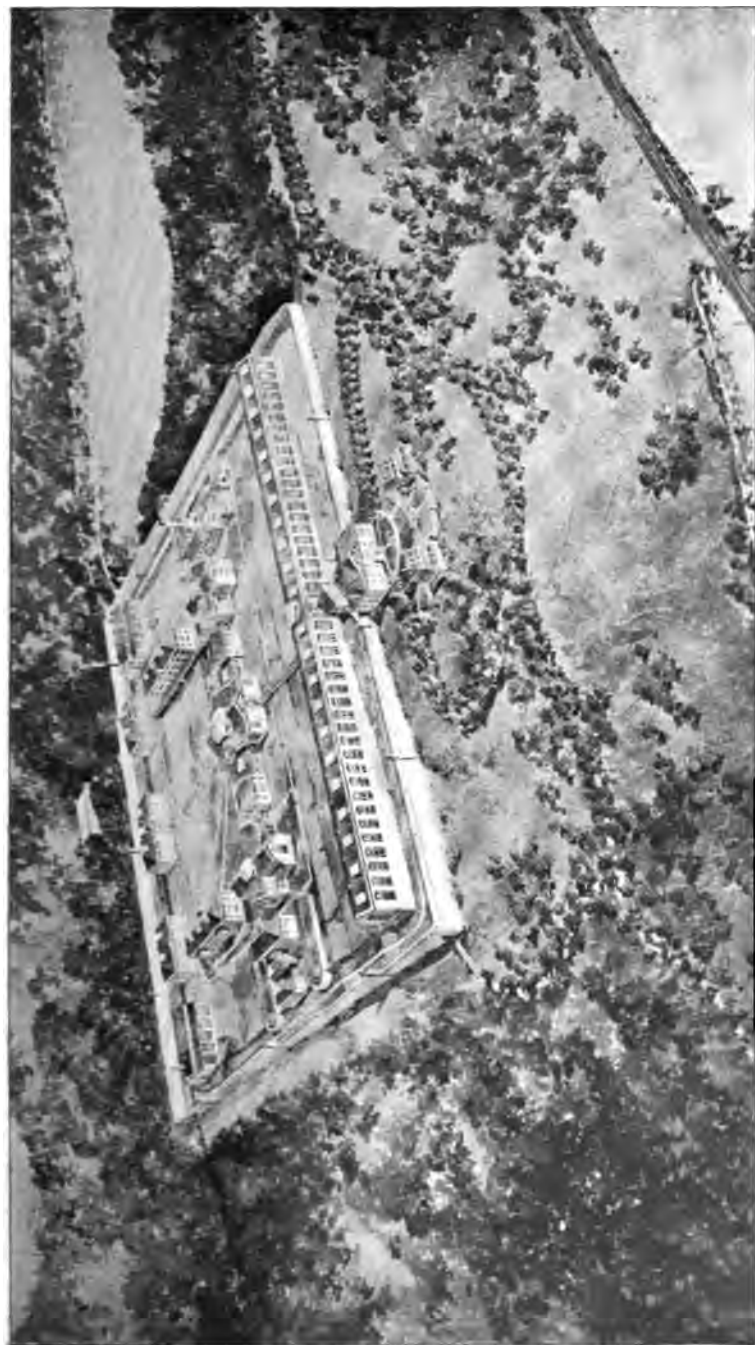
Prison is “the world of one idea,” the community in which all thought centers upon regained liberty — the one longing uniting all prisoners, those of every degree of criminality, of every country, of the remote past and of the years to come. Today, liberty comes by mere waiting, whereas it should depend upon the prisoner alone. His banishment should end, only when he has proven his reformation.

At the trial which deprived him of his liberty, the reasonable doubt was in the defendant's favor; the burden of proof was upon the State. At the second trial, in the court of rehabilitation, this is reversed; the burden of proof being upon the man. Hypocritical religious protestations will not avail, nor promises of future good behavior. He must give proof of reform accomplished. In the criminal court he is every moment on the defensive. He tells nothing, admits nothing, gives no clue to his past. In the court of rehabilitation this condition also is reversed. Perjury may save a man from prison, only the truth can get him out. In the first trial it may have been impossible to verify or disprove his claims. In the second, his prison conduct is a matter of record, and his only hope rests in telling the truth, the whole truth, and nothing but the truth, as to birth, parentage, and training; his social, business, and criminal career. A lie — which disproves reform — means a continuation of banishment, and he knows it. There is another reason why he will tell the truth; every statement he makes can be verified.

In other words, the court of rehabilitation is in a position to estimate, to a certain extent, the man's personal responsibility — an estimate utterly impossible to the criminal court. It would consider not only the crime and its degree, and the advantages he violated when he fell, or the advantages of which he had been deprived from birth, but also, and above all, what he had accomplished during his banishment toward his own reformation. To what extent was he responsible for the past? How well is he equipped for the future?

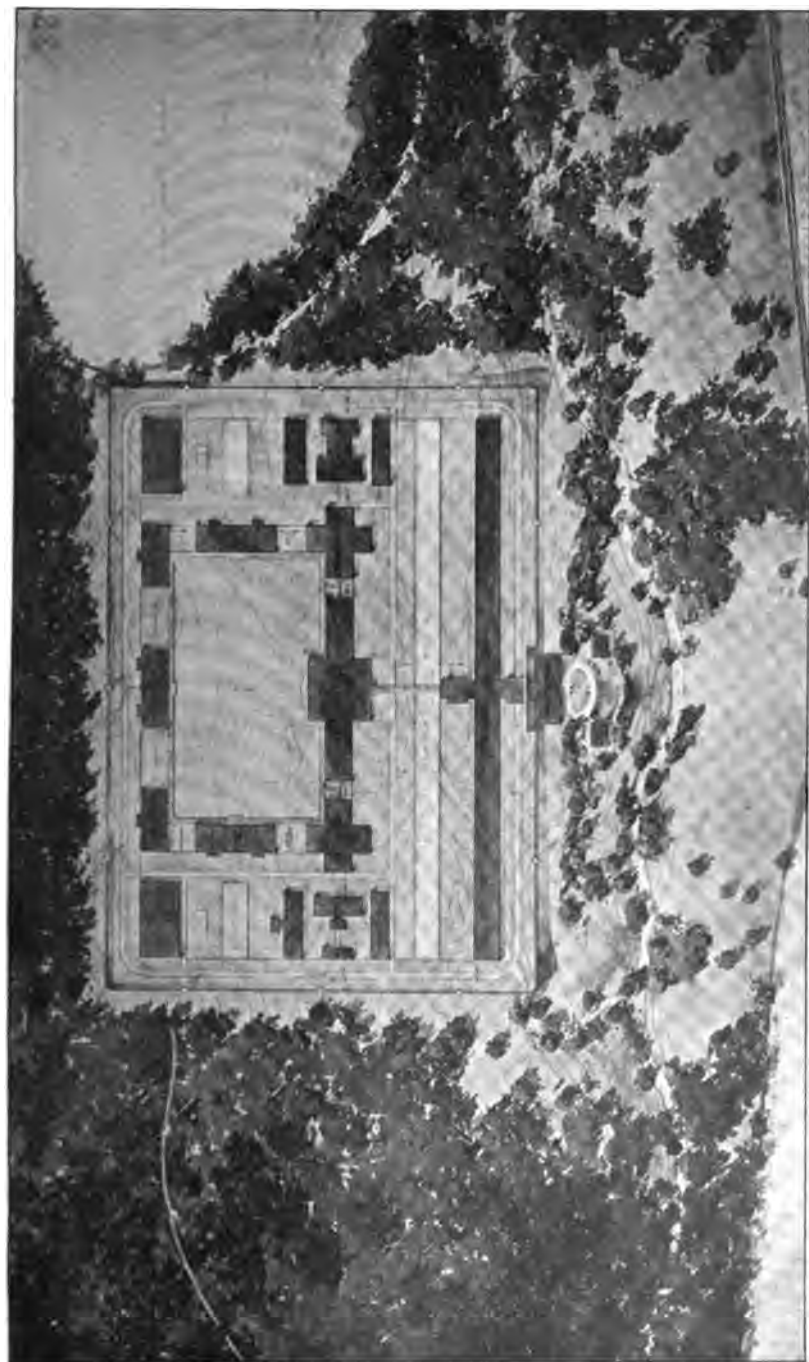
But beyond the point noted, what evidence of reformation can he offer? Full and free confession is a good start, yet he might make it with a shameless hypocrisy if he felt that it alone would bring liberty. Could he show that he had made restitution to the full extent of his ability, it would mean much, but even in the slightest this is rarely possible. A man's life, a woman's honor, embezzlements lost at the gaming table — whatever his desire, how are these to be restored? No, the proof must be less tangible, but very real.

Let us take the familiar type of the young "tough," the "corner loafer," of evil parentage and training, uneducated, without



PLAN 32. BIRDSEYE VIEW. DARRACH & BECKMAN, NEW YORK.





No. 32. Block Plan.

a trade, knowing of religion only as a woman's luxury or a fad of the rich, with a thousand and one circumstances he did not create and cannot control, and of which you and I know nothing, hurling him into a criminal life. He commits a robbery, is arrested, tried, and convicted. He attributes his imprisonment to his poverty and is at war with the world, cursing the rich who are no better but are not "caught," or if caught — escape. To him "justice" means only "bad luck." Under the present system, he sulkily waits, as do all those about him, for the expiration of a fixed period; for the convict soon becomes a philosopher, making the best of imprisonment, doing as little work as possible, and dividing leisure time between sleep and projects for better and more secure criminal work in the future. But under the ideal system he would understand that in self-improvement rested his only hope of freedom.

Let us watch the workings of that ideal. The moment the door closes upon him, you have a man who longs with all his soul for liberty. Make him understand that liberty can never come except through himself and note the mental difference. No longer are thoughts and conversations the mere retrospects of cleverness and mistakes in crime, or the planning of revenge upon society when liberated. Instinctively he dwells upon present accomplishments that alone can win him freedom. He finds offered him an education, most certain preventives and cures of crime, and nowhere better than in prison can the mind be trained. He finds that prison mission work has become practical, insisting less upon the singing of hymns and encouraging more the will to work and to learn; not constantly telling the prisoner what a miserable sinner he is, but aiding him to become the useful citizen that he ought to be. There are lectures and classes to attend, and work to do by which money is earned and saved. He is given opportunity to demonstrate his sincerity by industry, by ambition, by kind acts, by solicitude for his fellow prisoners and for those outside whom he has caused to sorrow. Officials, teachers, the overseers in the workshops, all are his friends, not mere jailers. And in time, upon their advice, he moves his case for trial in the court of rehabilitation.

Civilization will have advanced a step when for the first time a prisoner appears in that court. The burden of proof being upon him, he makes the opening address. A little haltingly, perhaps, it is at first, yet it shows the intelligence these years have developed. He tells the story of his life previous to imprisonment, it can be verified, and then shows by witnesses all he has since accomplished. The warden testifies to his perfect discipline; a teacher to his having learned correctly to speak, read, and write the English language; possibly, he has even mastered a foreign tongue; also he is now expert in keeping books, or he has worked in the various shops of the prison, and instructors pronounce him a skilled mechanic. Also it is shown that deposited in the prison treasury are his savings, the State having paid him for his labor. Friends, relatives, or those that have become interested in him during his imprisonment, prove that work has been provided for him in some place distant from his former temptations and associations.

Here we have a man reborn, and should the verdict be "rehabilitation," he is not, as once, told to go and sin no more, after the State has rendered it impossible for him to do anything else but sin.

Now, if you restore him to citizenship, he will almost certainly prove worthy of it, because it has come to him, not by sullen inertia, and the mere passing of time, but because he has won by the sweat of his brow, the toil of his brain, and the intensity of his purpose. And whereas once he was certain to go out unreformed, worse than when he entered, to bring into the world children that would follow in his footsteps, cursed with the inherited criminal taint, now the chances are that the family he will rear will be useful, law-abiding citizens.

Of those who are old and ignorant when banished, not so much may be expected; yet, they can learn to be clean, to read and write; they can master a simple but useful trade, and there are humble ways of doing good. Such a man could become expert at brick laying, or learn to bake bread and do it well, and there is always work in the prison hospitals. In any event, when he steps from prison, there should be no question as to his ability to earn an honest living, and moreover, a place should be provided for him previous to his release.

The problem becomes more involved when the one banished is a man of wealth, education, and standing. Not that the treatment of, let us say, the defaulting bank official must differ from that of any other prisoner. It must not be. For the rich man to work out his own salvation, to prove his actual reformation — is a task little easier than for him to enter the kingdom of heaven.

Under present conditions, he enjoys all the comforts and privileges his money can obtain, waits as patiently as possible for the expiration of his sentence, and then goes out to enjoy, not infrequently, the product of his theft, safely hidden before his arrest. Under the proposed system, if he acted on that philosophy, he would never go out. The first thing such a man would have to prove to the court of rehabilitation would be that, as fully as remained in his power he had made restitution. Restitution in itself would not, of course, prove reformation. But suppose that he can prove by the prison officials that he has asked permission to have a cell companion, not, as always he does at present, a man of his own social class, but one of the lowest and most unenlightened; that this cell mate he has taught cleanliness and decency, and to read and write; and has shared with him the luxuries he has been allowed; that he has become a teacher, using his educational advantages to instruct others in the prison schools; that ever he has helped and encouraged, and for weary years, by act and example, has been an influence for good. Would not the officials be justified in recommending him for freedom to the court of rehabilitation? Has not the mental betterment, in its way, been as great in this once morally weak man of the world as that in the young tough? And after all, what was the use of stealing a million if he had to give it back again?

With the hardened and habitual criminal the case is almost invariably hopeless, but therein rests one of the strongest arguments in favor of the court of rehabilitation. He is incorrigible, the criminal instinct is inborn or so ingrained that it will last through life. Vanity because of his evil is constitutional. He glories in it; he longs to excel in the world of crime, just as others seek distinction in nobler causes. Nothing can be done for him, yet the State allows itself to be put to the never-ending expense of capturing and reconvicting him, only to liberate him again

knowing the injury he will do in the interval before his next incarceration. Under the proposed system, society would be absolutely protected against him as it is now protected against the hopelessly insane. The habitual criminal would remain banished for life, for after several convictions, no court of rehabilitation would ever again entrust him with his liberty.

The death penalty would be abolished. The new criminal code would no more recognize the logic or justice or Christianity of "a life for a life," than it would the same qualities in inflicting mayhem as the punishment for mayhem. In the majority of cases where human life is taken, doubtless the result would be life banishment. But there would be, as now there is not, a recognition of the fact that there are two great classes of murders, those of the heart and those of the brain. What a gulf between the two! The former commits the crime because of certain good qualities carried to excess or that have become suddenly distorted through no act or desire of his own. Love, pride, self-respect, these are among the qualities, good in themselves, that have often led to murder. Is it just to treat the man carried away by such motives exactly as we treat the man who has killed another for gain?

The court of rehabilitation would rarely release the murderer who had plotted and calculated even after long imprisonment; it might give another chance to him that had killed in anger and with provocation, liberation coming after a banishment during which he had proved strengthened self-control and clearer mental poise.

The objection may be raised that this system makes it comparatively easy to get out of prison. Possibly it does, but if also it makes it hard to get back into prison is not a greater good accomplished? And that is exactly what it does, for the liberated man fully realizes how terribly a second offense and conviction would count against him, how difficult it would be to convince the court of rehabilitation, where only the truth is possible and where the burden of proof is on himself, that there has been a second and permanent reformation.

But I believe that this fear would be the guiding motive to a law-abiding life only in exceptional cases. I believe that nearly

all rehabilitated men would become good citizens because the State has made them want to be such and has given them the means to carry out their wish. I believe that in time the exceptions would soon be in banishment for life, and that society would be as free of crime and the criminal as it is possible to any human institution. I believe that in place of the feeling of hatred or resentment, characteristic of to-day's ex-convict, he will look back upon what he was before banishment and realizing what its opportunities and his own exertions have made him, his feeling will be one of gratitude. He will look back upon his prison life with pride, not humiliation, as those more fortunate cherish the memory of their alma mater. In place of the damning character to-day given a man by a prison record, it is not beyond hope that it may become in itself a recommendation, a proof of difficulties overcome, a guarantee of present ability and of future faithfulness; he has become immune. To-day, imprisonment is known to be futile; hence restitution of liberty carries not the slightest suggestion that the man is in any sense more trustworthy than before. Under the proposed system the mere fact that he has been set free would be proof of reformation, of rebirth.

Banishment inflicts none of the stigma of imprisonment. Why should he returning from it feel ashamed? Education has armored him with self-respect and courage. His diseased mind has been restored to health. By his own act, wherever rested the cause, his liberty was lost; by his own virtue he has won it back again.

LEGAL OBSTACLES TO THE REFORMATION OF PRISONERS.

BY SAMUEL J. BARROWS,

President of the International Prison Commission.

The question whether prisoners can be reformed is no longer an open one. It is as capable of scientific demonstration as that coal tar, the refuse of the gas works, can be made into saccharin or aniline dyes; that good white paper can be made from unclean rags, and that flowers can be raised from ungainly weeds. The question I have to consider is not the question "Can we reform offenders who come under legal restraint," but why do we not reform more? One element in the answer may be the character of the prisoner, another the character of the men under whom he is placed, but a third and potential element lies in the defects of our whole legal system. The fact is that a vast number of men who come under the grasp of the law are not reformed because nothing is done to reform them. If you are going to turn rags into paper it is not merely a question of having a good machine at the paper mill and good operators; but you must see that the rags go to the mill and not to the dump.

An engineer was called upon to study the defective water supply of a large city. He found that for years an eight-inch pipe had been diverting water into the sewer which ought to have been filtered and gone into the reservoir. It is so under our legal system. There are streams of life which ought to be filtered and which might be converted, turbulent streams though they are, into light and heat, and power, but which go off into the sewage.

What are some of the defects of our penal codes? A fundamental defect is that they are legal, not ethical. They embody certain antique ideas, partly metaphysical and partly theological, of retributive justice. It is easy to trace their genesis to ancient society, easy to see how ideas of individual vengeance were embodied in a system of social retribution. Our codes are essentially punitive, and the experience of centuries has shown that a system that is essentially punitive is not corrective. The legal tradition that to every offense there must be measured out a certain weight of penalty is simply a modern application of crude ideas of primitive justice. If these codes were effectively deterrent their exist-

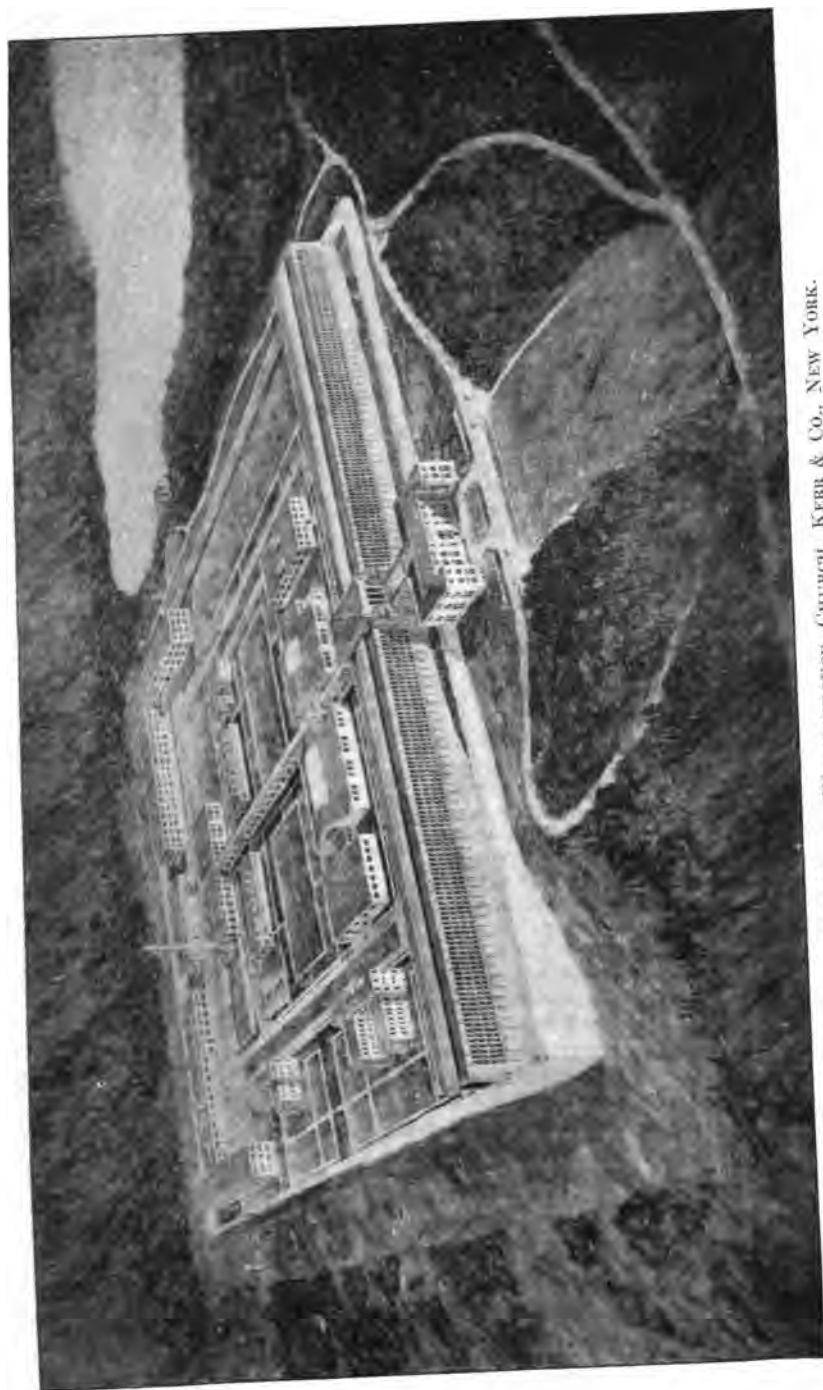
ence might be justified as a means of preventing crime; but experience shows that they are only in a small degree deterrent.

Our codes do not represent any fixed or uniform standard of justice or morality. Thus, according to comparisons made fifteen years ago by Dr. F. H. Wines, the maximum penalty for perjury in New Hampshire, Kentucky, and Connecticut was five years. In Maine, Mississippi, and Iowa it was imprisonment for life. In Delaware it was punishable by a fine without imprisonment of from \$500 to \$2,000. The maximum penalty in Virginia for incest was six months' imprisonment; in Louisiana, imprisonment for life; in Delaware, a fine of \$100. In the States which impose life imprisonment for these offenses the idea of reformation is not included; it is simply the question of getting the man out of society. In Delaware, on the other hand, it is hard to see any reformatory element in the imposition of a fine of \$100, which for a man with a good bank account simply amounts to a license to commit the offense. Nor does the five year penalty imposed in other States necessarily represent any reformatory principle. It depends upon what is done with the man during his confinement. He may come out better or worse. He is very likely to come out in the frame of mind of a prisoner who stole a large sum of money which he hid away in a safe place. After five years of imprisonment he asked the advice of the warden a few days before his discharge as to how he should invest his stolen money. His argument was that he had paid his debt to the State by serving five years, and that therefore the money belonged to him. His position may not have been ethical, but it was logical.

Another legal obstacle to the reformation of prisoners is the curious distinction made in the classification of offenses. They are legal, not moral. They are based not upon character, but upon circumstance. Thus in determining in the State of New York whether a certain act of theft is a felony or a misdemeanor, three circumstances, time, place and value are taken into consideration. The boundary line of value is placed at \$25; the boundary line of time between day and night, which varies with the seasons; and the question of place, whether it be a house or a railroad car, assumes importance. Now these distinctions have not the slightest ethical value. The thief who steals \$24 may be worse than

the one who takes \$26. And the thief who steals from his employer's drawer at 3 o'clock in the afternoon may be as bad as he who takes the same amount at 8 o'clock in the evening. These legal distinctions, so trivial in themselves, assume great importance because of the consequences attached to them. A felony is an offense for which a man may be sent to a county institution. In the State institution as a felon he may be brought under reformatory influences. In the county jail as a misdemeanor he is brought under influences which not only do not make him better, but tend to make him worse. In New York State we have been handicapped in our reformatory work for many years by this legal distinction. The Elmira reformatory was established only for felons, that is for the young man who steals \$26 and not for him who steals \$24; for the young man who has pilfered after dark and not in the daylight. Ten thousand young men every year lie neglected in the jails and county penitentiaries in the State of New York because there is no power under the law to sentence them to the State reformatories. In some States the distinction, I am glad to say, is not applied, nor does it apply to women in the State of New York.

Another legal obstacle to the reformation of the offender is the legal habit and tradition from which we are only beginning to free ourselves, of considering each offense as a distinct, separate act to which is attached a separate penalty. As has been well said, the code is fitted to the crime, instead of to the criminal. This defect of the code appears in its worst form in the short sentence. A petty thief steals a small sum of money; he is sent to jail for three months; in a short time he repeats the offense and is sentenced for the same term. He goes on repeating his thievery. He comes before different judges but he goes back and forth to the same institution. There are men in prison who have been there ten, twenty, thirty times. A young man twenty-six years of age, still young enough to be within the reformatory age, was sentenced twenty-six times to the county jail and workhouse, but never long enough at any one time or at any one place to effect any change in his habits. Provide the best reformatory in the world; equip it with the best apparatus; let it be manned with the very best corps of officers and instructors, and it will be totally



No. 14. BIRDSEYE VIEW. WESTINGHOUSE, CHURCH, KERR & CO., NEW YORK.

RECEIVED
JAN 10 1964
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OFFICE OF THE
SECRETARY
WASHINGTON, D.C.

ineffective if prisoners are committed to it for terms ranging only from ten days to three months.

The short sentence is seen at its very worst in our legal treatment of drunkenness. In Chicago a man was committed for drunkenness 300 times; in Scotland, a woman 333 times. Yet the judge who imposed the sentence for the 333d time paid no attention to the fact that the offender had committed the same offense 332 times before. The legal treatment of drunkenness practically ignores all physiological considerations. It treats the prisoner as an abstraction, not as a human being. It punishes the offense while ignoring the offender.

Modern studies of the criminal and of the forces of heredity and environment which go to produce him, as well as the forces of education which influence and change his character, have led to some modifications in our laws, providing that previous convictions, and the character of the offender should help to determine the disposition that is to be made of him. We have so far modified our judicial system as not to punish for criminal acts offenders who are decided by competent experts to be imbecile or insane; we are taking out of the catalogue of criminality children under sixteen years of age and subjecting them to a procedure which is educational rather than penal. These are welcome indications that instead of merely concentrating the attention upon the act, we are coming to study the actor. It is quite possible that physiology and psychology will be of the greatest importance in the future in helping a court to determine not merely under the rules of evidence whether an accused person committed a certain act, but whether he is a fit person to be at large in society and whether he should not be submitted to processes which shall profoundly influence and perhaps renovate his character, or, if he is an habitual and hopeless offender, be committed permanently to prison or to a farm colony so that society may be protected against his release.

I have spoken of the outflow, the wastage, the flow into the sewage; but this is not all. The great menace to society is that there is a constant backflow from the social sewage. Thousands of criminals are let loose in society who are no better, but somewhat worse, than when they were committed to those pools of moral contagion, the county jails. They pollute anew the sources of our

social life; they breed a new crop of criminals. The short sentence and the county jail together are responsible for much of this distribution and infection. Nothing too severe can be said about the county jail system. It is not merely a question of washing them out, cleaning them from vermin, and putting windows into the dark rooms; the prison architect and the prison physician alone cannot remedy the matter. The system is supported by legal distinctions which are fundamentally wrong.

One of these legal distinctions is purely geographical. A State is divided into a certain number of districts called counties. While the criminal code is made to cover the whole State, the judicial and penal system is affected by county divisions. Thus in many States the county court sentences the misdemeanor to the county institution. There is no State control over these county institutions, no uniformity in structure, discipline or régime. Crime is treated as a social matter. It is impossible, however, to deal effectively with it on county lines. Take the 15,000 young men in the State of New York who might be good subjects for reformatory treatment. It is impossible for every county to have an independent reformatory. It is extravagant and unnecessary. It is impossible to classify prisoners properly in the smaller counties. The only remedy for the utter failure of the county system is to establish State control for all offenders who have violated State laws. The difference in stigma between a State prisoner and a county prisoner should disappear. It has no deterrent or reformatory value. A few district prisons or reformatories in different parts of the State will accommodate all sentenced prisoners. The county jails properly remodeled should be reserved only as houses of detention for those awaiting trial.

One of the worst features of the county system and one which constitutes a great obstacle to the reformation of prisoners is the fee system: the practice of paying sheriffs so much a head for every prisoner admitted and discharged, and so much per day for the board of every prisoner committed. This system is a relic of the system which prevailed in England when John Howard began his work more than a century ago; and, strange to say, it still exists in most of the States in the Union. It furnishes a motive to the sheriff for having as many men in jail as possible

and keeping them there as long as possible. Investigations in thirty counties in New York which have abolished the fee system and substituted a salary for the sheriff show a reduction in prison population and in expenses of from 10 to 50 per cent. The whole fee system is fraught with scandal and corruption. A few weeks ago I discovered in the jail of Queens county, New York, which is still under the fee system, that 840 young men between the ages of sixteen and thirty, all of whom should have gone to reformatories, had been committed to this county jail not for the benefit of the prisoner, but for the benefit of the sheriff.

It is a serious indictment of our present penal system that it commits many thousands of offenders to prison who, without any danger to society, can be better dealt with without imprisonment. The probation system, applied not only to children, but to adults without limit of age, is now firmly rooted in half a dozen of our States, and under the form of suspension of sentence has been established in France and Belgium for almost twenty years. In Massachusetts the number of those placed on probation has gradually risen from a few hundred to nearly ten thousand. In France it has risen year by year until it has reached 39,000. This system on its introduction had to meet the opposition of conservative jurists who treated it as a device for allowing men to go unpunished, the infliction of punishment being regarded by them as the main object of the criminal court. The idea that the court might be an essential part of a salvage system designed to protect society through the reformation of the prisoner, was wholly contrary to the legal tradition. In New York and Massachusetts judges have now become thoroughly converted to probation as a means of social protection as well as of individual reformation.

For those offenders who require, as a large number always will, a change of environment and commitment to some institution, the most far reaching and indispensable reform in our legal system is the adoption of the indeterminate sentence in connection with a reformatory system. The law governing commitment to Elmira reformatory provides that the courts imposing sentence to that institution "*shall not fix or limit the duration thereof.*"

In a single line the power of the judge to fix any time sentence is removed. The maximum limit of time is that fixed in the code. That is sufficiently arbitrary, but it is vastly better than when left to the discretion of the judge. Before long we ought to have an absolute indeterminate sentence. The three important elements in it are first, that the court committing shall not fix the duration; secondly, that the institution to which the prisoner is committed shall be reformatory in its character and equipped with a marking and grading system so that the prisoner by his conduct and character shall fix the length of his own sentence. Thirdly, the release of the prisoner should be a conditional release determined by a court of release or board of parole. Of all proposed modifications of our penal system none would effect such a radical and beneficent change as the general adoption of the indeterminate sentence with all that it implies.

INSPECTION OF THE CITY PRISON OF NEW YORK.

To the Prison Association of New York:

GENTLEMEN.—The Committee appointed to inspect the Tombs met at the office of the warden at 2 o'clock on Thursday, February 13, 1908. There were present the chairman, Dr. Barrows, Mr. Gregory, and Mr. Speranza. Senator Pavey telephoned that ill health prevented his attendance.

The total population on that day was 664. Of these 60 were women, 108 boys and 11 United States prisoners, known as "federals." Of the 60 females 25 were white, 7 colored, 4 were federals, and 24 were helpers from the workhouse.

The 108 boys seriously overcrowd the corridors set apart for them, and about forty were kept two in a cell. This is highly objectionable. The cot upon which two have to sleep is a narrow single bed. Arrangements are in progress for placing two bunks in each cell like berths upon a steamship. This will be an improvement over the present conditions, but unfortunately indicates that placing two in a cell is to become an established practice.

The cells of the men's prison are large and well appointed. The day was damp with a heavy atmosphere, and the ventilation of all the corridors should have been better. The men and boys were being exercised by walking around the corridors and they seemed to be reasonably well cared for. The women's prison is antiquated, stuffy, dreary, and extremely depressing; the toilet and bathing facilities are inadequate. The tables upon which meals are served are very unattractive. The inmates were seated upon one side of the bottom corridor, where conversation was general, but where there was not one inspiring condition or influence.

The kitchen of the men's department was found to be clean and well equipped with cooking appliances. The food examined was of good quality and attractive. We had no means of ascertaining whether the allowance to inmates is adequate. The daily menus for each week provides for a reasonable variety, but we had no opportunity to verify the statement. We were informed that whenever fish or other articles of food came in an unsatisfactory condition the fact was reported to the warden and the

objectionable article returned to the contractor. The head cook seemed to be intelligent and well fitted for his work.

Particular inquiry was made as to the facilities for communication by the inmates with outside friends. Telegrams may be sent freely when paid for by the prisoner. The use of the telephone is not allowed. When a prisoner is received he is furnished with paper and a stamp to write to his lawyer or a relative or friend. After that the warden uses his discretion as to furnishing stamps and paper for other letters. It is quite evident that this is decidedly restricted.

Soon after our arrival the number of visitors leaving the prison was so great as to excite wonder. It is evident that visitors coming in such numbers is a serious abuse, often causing annoyance to the prisoners and entailing much care upon the officers. Visitors are admitted upon orders issued by the Commissioner of Corrections. Nominally two are issued for each prisoner. Often these come from idle curiosity and are of no possible service to the prisoner.

A careful inquiry was made into the matter of lawyers seeing prisoners. This amounts to a very serious abuse. Reputable lawyers do not seek clients among these unfortunates by improper means, but hordes of "shysters" hang around like vultures to pounce upon their prey. This is an old evil. In Bartlett's *Americanisms* the following quotation is made from a New York daily paper of fifty years ago: "The Prison Association held its monthly meeting last night. The report was rich in incident and developments about the skimmers, sharks, and shysters of the Tombs." The lapse of time has sharpened their wits, intensified their cunning, developed their tricks, and made them a still greater disgrace to our criminal practice. They employ runners to obtain cases for them, they crowd themselves upon prisoners unsolicited, they deceive and swindle the poor unfortunates, and finally accomplish nothing for them because of their real ignorance, their incapacity and their worthlessness. The written testimony of prisoners and their relatives and friends who have desired to aid them furnishes abundant proof of their nefarious practices. This evil must not be allowed to continue unrestricted. While the right of the prisoner to select his counsel for his proper

defense must not be interfered with, the prisoner is entitled to better protection of the law against lawyers than he now receives. The demoralizing effect of the present evil is far reaching and too often results in collusion between lawyer and prison keeper for the accomplishment of their wicked ends.

RECOMMENDATIONS.

Your Committee make the following recommendations:

1. That the Prison Association formally advises the proper authorities to relieve the present overcrowding of the Tombs, establishing a prison for those awaiting trial in the borough of Bronx, to the proper end of each borough of the Greater City having its own city prison.

2. That the Prison Association urges the early construction of the women's prison upon modern lines, so that it may better accord with the wholesome advancement of civilized penology.

3. That the Prison Association urges upon the Commissioner of Corrections the establishment of new regulations for the issuance of orders for the admission of visitors, so that a careful and intelligent examination of applicants may be made, to the end that only such as have a legal and proper connection with a prisoner may be allowed to see him.

4. That the Prison Association asks the Legislature of the State to amend the Penal Code, or such other statute as may be proper, so that no lawyer can see a prisoner in any penal institution of the State in any city of over 100,000 population, without an order from the committing magistrate. While this regulation might, in some cases, result in magistrates having favorites among members of the bar whose personal interests they desire to advance, any tendency in this direction would be checked by the publicity attending it, while it would practically insure to the prisoner an opportunity to have a competent legal adviser to care for his interests.

All of which is respectfully submitted.

JAMES WOOD,
Chairman.

THE COMPETITION OF ARCHITECTS FOR THE NEW STATE PRISON OF NEW YORK.

The State of New York has a State Architect who is responsible for making plans for public buildings and supervising their erection. In exceptional cases, (as in the erection of the new educational building at Albany and the new prison to take the place of Sing Sing) special legislation provides for a competition of architects, in the hope of securing valuable plans and suggestions from members of the profession.

The amended law in relation to the new prison provided for an open competition, to which architects from all parts of the country were eligible. The Commission on New Prisons, with the addition of the State Architect, Mr. Franklin B. Ware, and a prison physician, Dr. J. B. Ransom of Clinton Prison, constituted a Board of Award. The Board thus constituted consisted of Charles F. Howard, M. D., president, Cornelius V. Collins, Samuel J. Barrows, Elisha M. Johnson, Thomas W. Hynes, Franklin B. Ware, and J. B. Ransom, M. D. Mr. George McLaughlin was elected secretary.

In response to rules and regulations prepared by the Commission on New Prisons, thirty-four sets of plans were received from architects. These were numbered and adjudged by the Board of Award, the names of the competitors being withheld in sealed envelopes until after the announcement of the award.

The competition proved in many respects to be very unsatisfactory. In the first place the rules and regulations awakened much discussion among architects, and a committee from the New York Chapter of the American Association of Architects asked for their revision, the State Architect joining in their request as to most details. As advised by the Attorney-General, however, the Commission would have laid itself open to law-suits if it revised its program several weeks after sending it out, and after competitors had spent much work upon their plans. While some of the best architects refrained from competing, owing to the severe character of the rules, among thirty-four who entered were some of the best architects in New York and in other States. From \$60,000 to \$75,000 were spent by architects in the prepa-



CALIFORNIA STATE PRISON, SAN QUENTIN — WOMEN'S QUARTERS.

31

ration of these plans. The law and the rules of the Commission governing the awards provided that the competitor who should receive the first prize should receive the usual commission. A \$3,000 prize was provided for the second competitor and a \$2,000 prize for the third, and \$500 was to be given to each of seven competitors presenting plans of sufficient merit.

The Board of Award found it impossible to agree as to the first prize. Competitor No. 28, Mr. Wm. J. Beardsley of Poughkeepsie, N. Y., received five votes; the State Architect preferred No. 30, Commissioner Barrows, No. 15. Under the law the approval of the State Architect was necessary to make valid the choice of the Board. That officer set forth effectively his reasons for disapproving of the choice. Commissioner Barrows also protested against the award before the name of the competitor was disclosed, feeling that it was not made in strict compliance with the rules nor with reference to considerations of comparative merit. The State Architect might have adhered to his disapproval and the award could not have been made; but from considerations of courtesy to the majority of the members, but without changing his opinion, he finally agreed to formally approve the award after the majority of the Commission had voted again for No. 28.

It is to be regretted that the Commission on New Prisons could not have come to a more definite agreement as to certain necessary penological features before submitting their program to the architects. It is still more to be regretted that the Board of Award did not make any thorough analytical comparison of the ten best plans. A motion to that effect offered by Commissioner Barrows was not even seconded.

On one subject complete unanimity was developed in the Board, and the following preamble and resolution were unanimously adopted:

Whereas, Tuberculosis has been a great scourge of prison life, and modern medical research has demonstrated the necessity of an abundance of sunlight for its prevention or curative treatment, as well as for general physical and mental healthfulness, and

Whereas, In this competition a number of plans have been submitted of the radial or stellar plan of cell block to which the above objection applies, and after giving these plans careful consideration, it is

Resolved, That this Board regards the radial or stellar type of cell building as faulty in this respect, inasmuch as some of the cells are inevitably turned away from direct sunlight; and that we adopt in preference a type in which the cell house shall be orientated so as to receive the most sunlight.

Many of the plans were rather close copies of the radial types of European prisons, and the passage of this resolution naturally excluded them. Others were excluded because the architects had presented estimates which showed that the prison could not be built within the cost limit prescribed by law, \$2,000,000.

Of the ten plans selected as best of the thirty-four nearly all conformed to the general design presented in the report of the State Prison Improvement Commission adopted two years ago: namely, a long cell block with the industrial and other buildings grouped around it. The chief variation in the plans consisted in the disposition of the different buildings, the provision made for future extension, the degree of fireproof construction, the amount of acreage covered, the material employed, and the variation in cost of the whole plant.

To give an idea of the main features of similarity and difference in the plans, five of those which received prizes are here reproduced. Important variations, however, which greatly affect their desirability as prison plans, could only be understood and appreciated by studying the specifications. Some notes and comments on these plans are added, and a sixth plan is added which in the opinion of the writer is better in the construction of the cell block than any of those receiving an award.

NOTES ON THE PRISON PLANS.

Plan No. 28, to which was awarded the first prize, was presented by Wm. J. Beardsley of Poughkeepsie, N. Y. The best feature of this plan is that the cell house is raised on a terrace so that the windows are not overshadowed by the wall on the east side. The defects of the plan were pointed out effectively by the State Architect, Mr. Ware:

"I think that a radical mistake has been made in dividing the prison yard in half by a group of buildings connected by corridors, making access and communication from one side of the

prison inclosure to the other impossible except by crossing corridors or passing through buildings. This arrangement of buildings and corridors provides innumerable nooks and corners suitable for hiding places and this arrangement will require constant supervision.

“The two main shops are located at opposite ends of the prison yard, about 1,200 feet apart. This would seem to me objectionable.

“As to the detail arrangements of buildings, the plans of the general hospital are not good, the two-story bath, laundry and wash-house is undesirable, and I think the use of enameled steel cells will be found impracticable, even though the cost be not prohibitive — which I doubt very much.

“While generally the arrangement of buildings is satisfactory, exception must be taken to the main shops with their major axes east and west. This arrangement prevents them from receiving sunlight on the long sides, and this I consider objectionable.

“The future extension of the cell block is one of the weak points of this plan. The competitor, probably realizing this, proposes three methods, none of them capable of being satisfactorily made without radically altering the plan. The proposed extension north and south, if made, would necessitate the tearing down of the prison wall at two points and when completed a deep recess or pocket will have been created in the prison yard. The second method proposed, *i. e.*, extension on the east and west axis, is out of the question on account of its orientation. We might as well consider “radial cell block” plans as to consider this method of extension. The third method, *viz.*, by building separate cell blocks back of the present cell block, is the best of the three methods proposed; but as before stated, the prison yard is already cut in half by the group of buildings on the center axis and to further cut it up by building cell blocks in the only open space left would be unwise.

“As to whether the design of the buildings is appropriate for the purpose or not, is a matter of opinion and taste. The style of architecture selected for the administration building, warden’s residence and recreation quarters (buildings which will be seen by the public passing up and down the river), does not appeal to me as being appropriate. There is no reason why this Board, in selecting an architect, should not give this matter consideration, so that the prison, when completed, will be a model not only from a prison standpoint, but from an architectural standpoint as well. We can only gauge the competitor’s ability in this respect by carefully considering what his ideas are as to the proper style of architecture to be used, and in this respect competitor No. 28 fails to meet the requirements.”

Design No. 30, which received the second prize, was presented by Messrs. Warren & Wetmore of New York. The State Architect in stating his preference in choice for plan No. 30, said: "The arranging of buildings around a large open court provides ample sunlight, free circulation of air and good ventilation, which are so necessary. The yard is not cut up by buildings and corridors as in the case of No. 28. The architecture of the buildings throughout, and particularly of the walls and buildings to be seen from the river, is most appropriate and in keeping with the character of the institution. The material proposed for the buildings, viz:—native stone, can be quarried on the site by prison labor, and no better building material can be found. I admit that in some of the details of the buildings this competitor does not appear to be as familiar with prison requirements as does competitor No. 28. On the other hand, the design submitted by competitor No. 30 indicates that he is much better qualified architecturally than competitor No. 28 to design a prison which will be a credit to the Board and to the State of New York. If I were the sole judge of the competition, I would not hesitate to award the first place to plan No. 30."

Defects of No. 30, some of which it held in common with other competitors were that it is only partially fireproof, that it exceeded the prescribed yard limit by nearly two acres, that the situation of the power house at the north end was not the most economical or convenient, and that the estimates were vague and incomplete.

Plan No. 20, which received the third prize was presented by Hertz & Tallant of New York. This plan appears simpler and less crowded than No. 28 and it has made provision for the extension of the cell block, though it may well be said that the cell block is long enough already. Objections to this plan are in the situation of the industrial buildings, one group of which will have a row of windows to the northwest, and another group of windows to the northeast. The prescribed acreage was also exceeded, and the estimates were as vague as were of those of No. 30.

Of the ten plans receiving prizes Commissioner Barrows voted to award the first prize to No. 15, which was presented by Westinghouse, Church, Kerr & Co., 10 Bridge street, New York.

Some of the obvious merits of this plan can only be appreciated by a study of the specifications.

1. More attention was paid to the contour of the ground so as to require less grading. In addition to a complete cellar under the cell block, a sub-cellar is provided for at the south end, thus utilizing the rapid fall of the ground at this point.

2. It furnished the most exact and scientific study and solution of the problem of orientation; that is to say, the adjustment of the axis of the cell block at the proper angle so as to secure the most sunlight during the year, especially in the darker winter months.

3. The entire structure of all the buildings was fireproof.

4. While Nos. 30 and 20 exceeded the prescribed acreage, the buildings in No. 15 were brought within twenty-four acres.

5. The situation of the power-house was economical for the distribution of heat and power.

6. Well-considered schemes for future extension applied not only to the cell block, but also to other buildings.

7. A fine system of service tunnels was provided so that all pipes and wires would be easily accessible.

8. A more perfect system of protection against revolt was worked out by the use of corridors and towers accessible only to the guards.

9. The use of reinforced concrete as a material is well adapted to carry out that feature of the law which requires the employment of prison labor as far as possible. The experience of the Massachusetts State Farm in employing prisoners in this form of construction as reported by Superintendent Blackstone, is that "the proportion of inmate labor which we can utilize in concrete construction as compared with other masonry construction is fully one-half more."

10. The estimates were minute, full, and specific, in conformity to the rules of the Commission, saying that the accuracy of estimates would be taken into consideration in the awarding of prizes. No. 30, for instance, has but one page of estimates; No. 20, one page; No. 28 has twenty-eight pages of estimates. No. 15, in addition to a detailed description, covering 110

type-written letter pages had 250 pages devoted to specifications and estimates. Of those forty-six pages were filled with minute estimates based on the dimensions of every structural feature of every part of the plant.

11. The whole scheme of lighting and heating and power supply and distribution as set forth in the specifications, show complete familiarity with all the elements and details of these problems.

The principal objections advanced against No. 15 were from members who did not believe in the use of concrete. It was pointed out, however, that the plan could just as well be constructed of such material as the Commission might choose, but that concrete was necessarily adopted to bring it within the limit of cost. Another objection advanced was that the architect had utilized the cell building to constitute the enclosing wall of the yard on the east side. This is a form of structure, however, adopted in the United States Penitentiary at Leavenworth, in the Elmira Reformatory, the Delaware Penitentiary, and in many jails throughout the State of New York. It would not be desirable to employ it in a cell block having an interior corridor with outside windows to the cells, but in the cell block with outside corridor it may be freely used, the advantage being that it saves expense and furnishes unobstructed light. In plan No. 15 the distance from the ground to the windows is too great to permit of communication from without and the proper guarding of the interior prevents communication from within, as the eye of a single guard can command the whole length of the corridor.

An outside wall is presented, however, in plan No. 14 by the same firm using the central corridor and windowed cells.

In plan No. 32 of Messrs. Darrach & Beekman, 10 East 33d street, New York the material suggested is re-enforced concrete; the design shows simplicity and good features of arrangement with ample provision for future extension.

THE BEST PLAN PRESENTED.

Of all the plans presented the one which to the writer seems to include the best ideas of modern prison construction is design No. 14, presented by Westinghouse, Church, Kerr & Co., of 10

Bridge street, New York. The difference between this plan and No. 15 is that the former is built with a central corridor with the cell windows on each side opening to air and light. The encircling wall also encloses the cell house which is not made a part of the walls as in plan No. 15. Otherwise the arrangement of chapel, mess-hall, and power-house, and industrial buildings is essentially the same. There is no excuse in these days for building a prison without windows in the cells into which light is admitted only through the doors, from windows twelve to fifteen feet away in an external corridor. Our tenement house laws now require windows in sleeping rooms, and our prison should not preserve the antiquated type, the "menagerie" system of keeping prisoners in a cage instead of in separate rooms well lighted by direct sunlight. There is no requirement concerning heating, ventilation, sanitary and plumbing which cannot be met as well with the outside cell as with the inside, and it is less expensive to build a building with four walls than with six.

Some of the most experienced and capable of prison wardens in the United States have declared their preference for the central corridor system, and in a few prisons it has already been introduced.

Of course it is possible to vary the form of the structure and to have two parallel blocks instead of one long single cell block. Such modifications may be rendered necessary by the contour of a different site.

SAMUEL J. BARROWS.

TREASURER'S REPORT.

(For the twelve months ending December 31, 1907.)

CURRENT FUND.

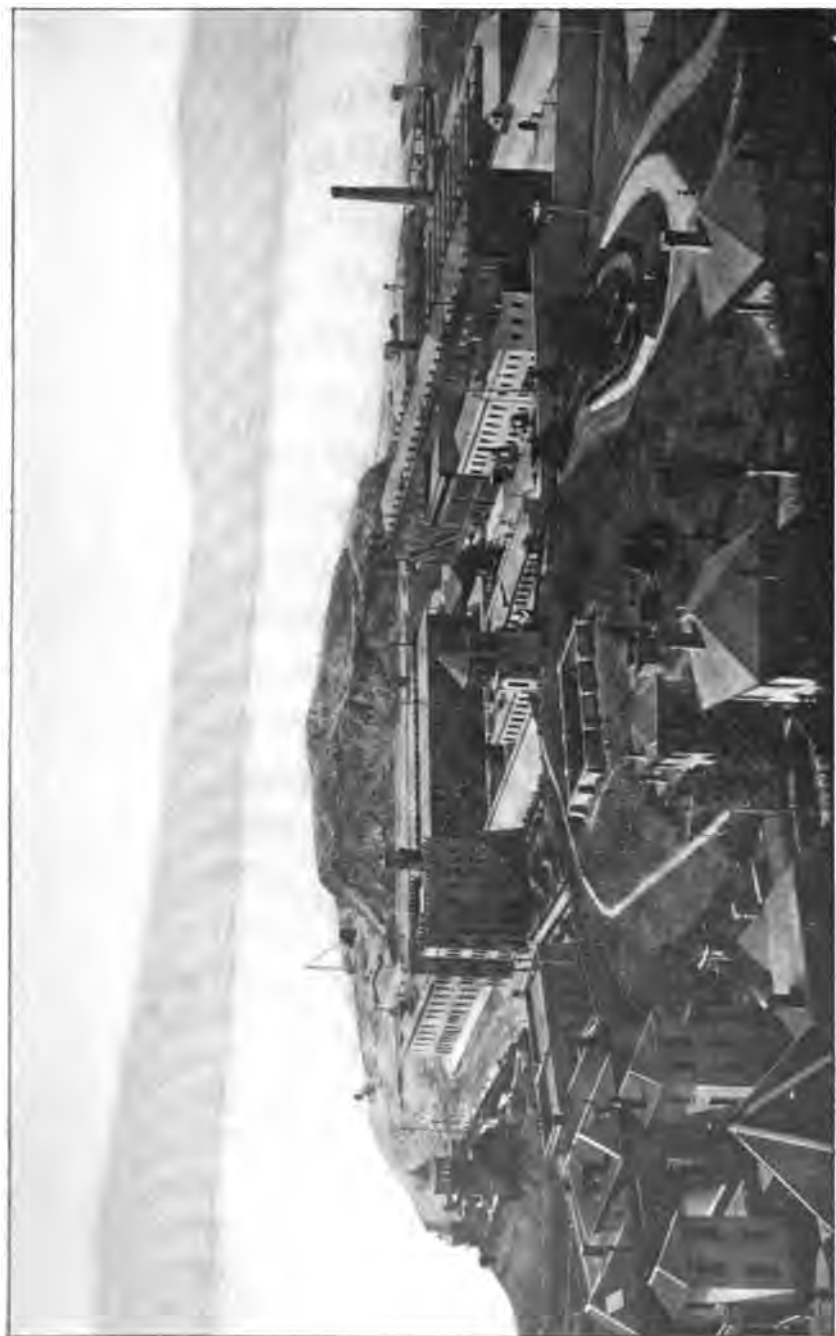
Balance in Mechanic's National Bank, January 1, 1907	\$6,163 75
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INCOME.

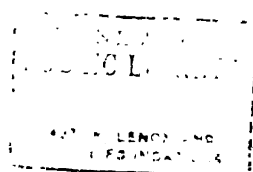
Donations received twelve months..	\$11,989 30	
New York State reformatories.....	1,500 00	
Rents	656 00	
		14,145 30
		\$20,309 05

EXPENDITURES.

Expenses of agency in New York city for persons under arrest, on proba- tion in care of the association, dis- charged convicts and general relief work	\$6,801 43	
Expenses of State organization, prison and jail inspection and county work	4,317 00	
Expenses of library	380 55	
Expenses of real estate, including taxes, assessments, water rents, in- surance, interest on mortgage, etc.	1,173 89	
Transferred to reserve fund	3,000 00	
		15,772 87
Balance on hand December 31, 1907.....		\$4,536 18



CALIFORNIA STATE PRISON, SAN QUENTIN—TO BE REPLACED BY A NEW PRISON.



COUNTY COMMITTEES.

In order to secure proper attention to local conditions, and co-operation with reference to the general prison system of the State, the plan of organization of the Prison Association of New York permits the formation of a corresponding and co-operating committee in each county of the State. The persons in the following counties have accepted such positions.

Broome county.—Residence, Binghamton, Dr. J. G. Orton, H. M. Beecher, Austin S. Bump, D. H. Carver, Dr. J. M. Farrington, S. J. Hirshman, E. C. Tichener, William A. White.

Cattaraugus county.—Residence, Portville, Hon. W. B. Merse-reau.

Cayuga county.—Residence, Auburn, Frank W. Richardson, Dr. Cheeseman, Prof. Arthur S. Hoyt, Mrs. Mary C. Beardsley, Frederick Sefton, M. D., Rev. E. W. Miller.

Chemung county.—Residence, Elmira, Z. R. Brockway, Rev. William T. Henry, W. C. Peebles, Mrs. J. H. Pierce, Hon. Charles R. Pratt, Theron H. Wales, M. D.

Chenango county.—Residence, Norwich, Nelson P. Bonny, J. L. Ray, Rev. Daniel W. Dexter.

Clinton county.—Residence, Plattsburg, James Eckersley, W. C. Pike.

Delaware county.—Residence, Delhi, Andrew J. Nicol, James K. Penfield.

Erie county.—Residence, Buffalo, A. G. Sherman, George B. Bell, C. B. Armstrong.

Essex county.—Residence, Keene Centre, John Martin, Mrs. John Martin, Horace Nye, Mrs. Lilián Winch.

Genesee county.—Residence, Batavia, H. J. Burkhart.

Greene county.—Residence, Greenville, Chas. P. McCabe; residence, Catskill, J. I. Olney, Jeremiah Day.

Herkimer county.—Residence, Herkimer, O. H. Deck, M. D.

Jefferson county.—Residence, Watertown, J. C. Knowlton, Jesse M. Adams, Rev. Richard G. Keyes.

Livingston county.—Residence, Geneseo, Dr. John H. Milne; residence, Dansville, Dr. James H. Jackson, A. O. Bunnell.

Monroe county.—Residence, Rochester, William E. Sutherland, Judge Arthur E. Sutherland, Quincy Van Voorhis.

Montgomery county.—Residence, Fonda, W. Frothingham, J. C. Caton.

Oneida county.—Residence, Clinton, Rev. E. P. Powell.

Onondaga county.—Residence, Syracuse, A. B. Blodgett, J. C. Carson, Henry N. Hyde, Rev. E. W. Mundy.

Ontario county.—Residence, Canandaigua, Dr. C. T. Mitchell; residence, Seneca Castle, Levi Page.

Oswego county.—Residence, Oswego, C. H. Butler, Gilbert Mollison.

St. Lawrence county.—Residence, Canton, Charles Caldwell, Worth Chamberlain, Mrs. D. L. Jackson, Dr. Payson, W. R. Remington; residence, Ogdensburg, Robert J. Donahue, Bishop Henry Gabriels.

Steuben county.—Residence, Atlanta, H. C. Hatch; residence, Hornellsville, B. F. Smith, M. F. Smith; residence, Hammondsport, Monroe Wheeler.

Wyoming county.—Residence, Warsaw, H. E. Gurney.

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Flower, A. R.....	25	Goodnow, Mrs. A. F....	5
Floyd-Jones, Mrs. G. S...	5	Goodson, A. H.....	1
Foote, Dr. E. B., Jr.....	5	Goodwin, James J.....	25
Forbes, David	10	Gould, Edwin	100
Foster, Giraud	10	Gratwick, W. H.....	5
Foster, J. Hegeman.....	10	Gray, Henry G.....	5
Fougera, E. & Co.....	5	Gray, Hon. John Clinton.	10
Foulk, Mrs. M. P.....	5	Greef, Bernhard & Co....	25
Fowler, Miss E. A.....	2	Green, F. M.....	1
Fowler, Thomas P.....	10	Greenbaum, Mrs. Samuel.	5
Francis, Lewis	5	Greene, J. Ashton.....	10
Frank, Emil H.....	10	Greenleaf, James L.....	5
Frankenbach, C. E.....	2	Greenough, John	10
Frankfort, Maurice	5	Grossman, Mr. & Mrs. E.	
Fraser, Mrs. George S....	10	A.	5
Fraser, Miss Jane K ...	10	Guild, F. A.....	5
Frazier, Miss Annie.....	10	Guinzberg, Mrs. V.....	5
Frenkel, Emil	3	Gulliver, W. C.....	10
Frissell, A. S.....	10	Gunther, F. L.....	5
Fry Art Co.....	5	Gurnee, A. C.....	10
Fuller, Mrs. G. A.....	2	Gwynne, A. C.....	5
Furniss, Miss C.....	10	"G. W. W.".....	10
		-	
Gannett, Rev. W. C.....	5	Hackley, Mrs. F. A.....	50
Garner, H. H.....	5	Hackstaff, Mrs. C. L....	25

Hadden, Mrs. H. F.....	\$5	Hentz, L. S.....	\$1
Hague, J. D.....	5	Hepburn, Dr. W. M.....	5
Haines, Mrs. M. T. S....	5	Herman, Mrs. Esther....	10
Hale, P. C.....	10	Herman, Julius	15
Halkett, Baroness	20	Herzig, Joseph	10
Hall, Mrs. H. B.....	5	Hess, E. H.....	10
Hall, J. P.....	2	Heubach, Gustav	2
Hall, T. R. A.....	10	Hewitt, Mrs. A. S.....	5
Hall, W. H.....	5	Hewlett, Mrs. J. A.....	5
Halstead, Miss L. P.....	5	Hewson, John H.....	15
Halsted, Miss M. M....	10	Higbie, James S.....	10
Ham, James M.....	5	Hill, Adam	10
Hare, J. M.....	5	Hills, Mrs. A. K.....	5
Harkness, E. S.....	50	Hills, John S.....	25
Harkness, L. V.....	25	Hills, William.	10
Harmon, Mrs. W. E.....	10	Hilyard, George D., Jr..	2
Harper, Mrs. Joseph W..	5	Hinrichs, Fred W.....	5
Harrison, Mrs. M. L....	10	Hirsh, Jacob	10
Hartwell, John A., M. D.	10	Hitch, Mrs. F. D.....	20
Hawley, Mrs. John S....	25	Hoe, Robert	25
Hayden, Mrs. H. J.....	10	Hoe, R. & Co.....	25
Hayes, Hon. Patrick.....	10	Hoffman, Mrs. E. A....	20
Healy, A. Augustus.....	50	Hoffman, F. B.....	10
Heide, Henry	10	Hoffman, Samuel B....	10
Heilner, Percy B.....	5	Holmes Elec. Protective	
Heilprin, Louis	2	Co.	10
Heineman, Charles.	5	Holt, Miss C. B.....	5
Heissenbuttel, F. H.....	2	Holt, Henry	10
Heller, Hirsh & Co.....	2	Holt, Mrs. L. E.....	10
Heller, Miss L. R. and		Holter, Mrs. E. O.....	10
friends	5	Homans, Mrs. S. L.....	1
Hencken, Mrs. A. C.....	50	Homans, Mrs. E. C....	25
Hencken, Hancke	5	Hoppin, W. W.....	5
Henderson, Miss A. L....	5	Hopps, Mrs. L. W.....	2
Hendricks, Mrs. E.....	5	Howell, W. P.....	2
Henry, William	10	Hoyt, Miss G. L.....	5
Hensle, Charles	10	Hubbard, Gen. T. H....	50
Hentz, Henry	10	Humphreys, A. C.....	10

Hun, Marcus T.....	\$10	Judkins & McCormick Co.	\$5
Hunt, Charles W.....	10	Judson, Henry I.....	10
		Juhring, W. L.....	5
Grace Church	136.20		
Huntoon, M. D.....	3	Kahle, M	5
Hutton, Walter	5	Kalle & Co.....	5
Huyler, John S.....	10	Karelsen, Adolphus E. .	5
Hyatt, Mrs. A. M.....	10	Karsch, Hattie B.....	2
Hyde, A. F.....	25	Keep Manufacturing Co..	3
Hyde, Clarence M.....	100	Keller Printing Co.....	5
Hyde, Dr. F. E.....	5	Kelley, A. W.....	10
Hyde, Samuel M.....	10	Kellogg, Mrs. C.....	10
Ihlder, J. D.....	2	Kelsey, C. H.....	25
		Kemp, Day & Co.....	10
Ingersoll, W. H.....	5	Kendall, Mrs. E. H.....	5
Ireland, J. B.....	5	Kendall, Miss Georgiana.	10
Irving, Mrs. G. E.....	5	Kenyon, W. H.....	5
Iselin, William & Co....	10	Kerr, Walter	10
Isham, Samuel	10	Keteltas, Miss A.....	30
Ives, Frederick D.....	10	Kidder, Mrs. A. M.....	25
		Kidd, Mrs. James.....	5
J. B. C.....	30	Kilborne, C. T.....	10
J. V. V. B.	10	Kimball, A. R.....	10
Jackson, S. M.....	37	King, Miss Ellen.....	10
Jackson, Mrs. W. H.....	10	King, Miss Mary R.....	5
Jacobi, Dr. A.....	10	Kissam, S. H.....	25
Jameson, E. C.....	25	Kissel, Gustav E.....	10
Jenkins, A. B.....	50	Kittridge, S. D.....	1
Jenkins, A. W.....	5	Knauth, Nachod & Kuhne	20
Jermain, Miss M. C....	25	Knopf, Samuel	5
Jex, Mrs. Isabella.....	10	Knox, H. H.....	5
Johnson, Gilbert H.....	25	Kobbe, George C.....	1
Johnston, D. V. R.....	10	Koster, C. H.....	1
Johnston, Mrs. F. U....	5	Kunhardt, W. B.....	10
Johnston, W. G.....	10	Kyle, James & Sons.....	5
Jonas, William	5		
Jones, Andrew B.....	5	Laight, Miss A. H.....	5
Jones, Miss M. R.....	5	Landon, Mrs. H. H.....	10

Lane, F. T. L.....	\$5	Lupton, F. M.....	\$20
Langdon, W. G.....	10	Lydig, David	10
Langton, John	50	Lyford, Mr. & Mrs. O. S.,	
Lanman & Kemp.....	5	Jr.	10
Lasher & Lathrop	5	Lynde, R. H.....	25
Lathers, Miss A.....	10		
Lawrence, Cyrus J.....	5	McClymonds, Mrs. L. K.	100
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Lawrence, Mrs. Samuel..	5	McCook, Col. John J....	10
Lawrence, William W....	10	McCreery, Mrs. James M.	10
"L. B. G."	100	McEwen, Daniel C.....	5
Lee, Mrs. G.....	1	McEwen, Thomas, Jr....	2
Lee, Samuel.	5	McIndoe, W. J.....	10
Lee, W. H. L.....	10	McLane, Mrs. A. L....	5
Leech, Mrs. John E.....	5	McLane, G. R.....	25
Leeman, Charles.	3	McLean, J. S.	10
Lehmaier, James M....	10	Mack, Marc H.....	10
Leshner, A. L.....	10	McLaren, Mrs. F.....	25
Lesinsky, Charles	2.50	Macy, V. Everit.....	25
Letchworth, William P..	25	Macy, W. H., Jr.....	10
Levi, Sondheimier & Co...	5	Mager, Mrs. R. F.....	10
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Liebman, Mrs. A.....	5	Major, Miss M. T.....	5
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Lion Brewery	10	March, Miss V. A.....	2
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Lobenstine, W. C.....	10	Marrow, J. L.....	1
Locke, J. M.	3	Martin, John	5
Lockman, J. T.....	10	Martin, William V.....	5
Lockwood, H. N.....	10	Marvin, Dr. D. M.....	5
Lockwood, Mrs. I. Ferris.	5	Marwick, James	10
Lord, George de Forest...	10	Matthews, Miss Florence	
Loring, Daniel A.....	25	H.	5
Low, Hon. Seth.....	10	Maxwell, Mrs. R. M....	10
Low, William G.....	25	Mayer, Edward L.....	10
Lowengard, Otto	5	Mayer, Marcus	10
Ludlam, George P.....	10	Meek, Charles E.....	5

Meier, Edward D.....	\$5	Mott, W. F.....	\$10
Meigs, Ferris J.....	10	Munn, C. A.....	10
Meigs, Mrs. Titus B.....	10	Munn, Mrs. J. P.....	10
Melcher, John S.....	10	Munroe, Mrs. Chester....	5
Mendelson, Simon	5	Murray, Miss Catharine..	2
Merriam, Miss A. L.....	5		
Meserole, A.	10	National Humane Alliance	100
Mesnard, Mrs. Grace H..	2	Neilsen S.	10
Metcalf Bros. & Co.....	10	Neukirch, C.	2
Meyer, Wm. & Co.....	10	New Home Sewing Ma-	
Middleton & Co.....	10	chine Co.	10
Milbank, Mrs. Joseph....	50	New Jersey Terra Cotta	
Milholland, Jean T.....	5	Co.	10
Milholland, John E.....	5	North, Dr. N. L., Jr.,...	10
Miller, Mrs. A.....	10		
Miller, I. de R.....	5	O'Connor, Thomas H....	25
Milligan, C.	2	Odell, C. F.....	5
Minturn, Mrs. J. W.....	10	Ogden, Mrs. C. W.....	10
Mitchell, Mrs. M.....	10	Ogden & Wallace	10
Mitchell, Mrs. S. L.....	5	Ogilvie, F. B.....	5
Mitchell, W.	10	Olcott, Dudley	25
Moller, Edwin C.....	10	Olcott, Mrs. E. E.....	5
Monteath, Miss Sara J...	5	Olcott, George M.....	25
Moore, Miss Katharine T.	10	Olmstead, Mrs. C. T....	15
Moore, Mrs. W. H.....	100	Olyphant, R. M.....	10
Moore, W. H. H.....	10	O'Neill, Mrs. Hugh	10
Moran, Mrs. D. E.....	5	Oothout, Mrs. Jane E....	10
Morgan, Miss C. L.....	25	Opdycke, Mrs. E.....	10
Morgan, George H.....	10	Opdycke, L. E.....	5
Morgan, Mrs. J. B.....	10	Opdycke, Mrs. W. S.....	5
Morgan, Mrs. J. P.....	10	Openhymn, Mrs. A.....	5
Morgan, Miss U. J.....	5	Oppenheimer, Dr. Henry	
Morgenstern, Mrs. E. M.	10	S.	5
Morris, Mrs. William....	2	Osborn, W. C.....	25
Morse, Mrs. Lyman D...	10	Osborne, Thomas Mott...	50
Mortimer, Quincy L....	25	Otterson, Miss L.....	5
Mott, L. F.....	5	Ottley, James H.....	10

Palmer, Gen. W. J.....	\$10	Pouch, F. E.....	\$5
Paris, Mrs. F. U.	10	Pratt, J. E.....	1
Parish, Henry	50	Pratt, S.	5
Parker & McIntyre	5	Prime, Miss Mary R....	10
Parkin, The Misses	10	Pugh, Thomas.	1
Parsons, Mrs. Edwin	20	Putnam's Sons, G. P.....	10
Parsons, John E.....	10		
Partridge, Mrs. E. L....	5	Quattlander, Rev. Paul..	2
Parker, Mrs. A. W.....	5		
Parker, Gordon	5	R. & G. Corset Co.....	5
Patterson, J. W.....	5	Rader, G. W.....	10
Paulsen, F.	10	Ramsperger, Gustav	2
Pavenstedt, Adolf	20	Rand, Rev. W. W.....	2
Payne, Miss S. K.....	2	Raymond, R. W.....	10
Peabody, George Foster..	10	Read, W. A.....	25
Pearsall, J. W.....	5	Redmond, Miss Emily...	20
Pearson, Mrs. F.....	15	Rees, Norman I.....	10
Pedersen, Dr. James	1	Reichelm & Co.....	5
Pegram, G. L.....	2	Reiderer, Ludwig	5
Penfold, Miss J.....	25	Reutter, Mrs. R.....	10
Perry, W. H.....	4	Rhineland, Miss S.....	200
Peters, W. R.	5	Rhoades, Miss J. H. H..	5
Philbrick, Edwin C.	10	Rice, Ignatius.	5
Phipps, Miss Sarah M...	5	Richard, Auguste	25
Pillot, Miss Clara	20	Richard, Miss E.....	10
Pinkerton, Robert A.....	10	Richardson, Mrs. W. J.	
Pitkin, W. H.....	25	and Miss Bertha	3
Planten, John R.....	10	Righter, J. H.....	10
Plaut, A.	10	Riker, Samuel	10
Plumb, Charles L.	2	Ripley, Miss S. S.....	5
Polk, Mrs. William M...	10	Rives, G. L.....	20
Pope, Miss E. A.....	5	Robb, J. H.....	15
Post, A. S.....	10	Robbins, Percy A.....	10
Post, James H.	25	Roberts, J. E.....	10
Potter, Miss G. H.....	5	Roberts, Mrs. M. L.....	5
Potter, Miss M.....	20	Robinson, Rev. Chas. E..	5
Potts, Robert B.....	5	Robinson, Mrs. Kenneth D	5
		Robinson, Mrs. T. D....	5

Rockwell, Miss Hannah		Scribner, Mrs. J. B.....	\$20
M.	\$5	Seager, Henry R.....	5
Rhodewald, Miss A. L...	3	Seaman, F. A.	10
Roessler & Hessler		See, A. B. Electric Ele-	
Chemical Co.	10	vator Co.	15
Rogers, C. F.....	1	Seeley, Mrs. Nathan	5
Ross, W. A. & Bro.....	10	Selden, A. K., Jr.....	1
Rossbach, Jacob	5	Seligman, Edwin R. A...	5
Rothschild Bros. & Co...	5	Seligman, Geo. W.....	10
Rumpf, Mrs. Charles....	5	Seligman, Isaac N.....	25
Russell, J. W.....	2	Seligman, Mrs. Jesse	5
Ruttenau, M. M.....	1	Seligman, Miss Madeline .	10
		Sellew, T. G.....	10
Sachs, Louis	5	Shaw, Mrs. Samuel T....	5
Sachs, Paul J.....	5	Shepard, Edward M.....	10
Sackett, Henry W.	2.50	Shepard, Mrs. Elliott F..	25
Sage, Mrs. Dean	50	Sherman, Mrs. Charles E.	10
Sahler, Mrs. A. F.....	5	Sherman, Frederick T...	5
Saint, G. A.....	10	Short, Miss Florence	1
St. Peter's Church.....	15	Sicher, Dudley F.	50
Sallinger, Edward.	5	Silberstein, Abraham	2
Sard, Grange	5	Silliman, H. B.....	25
Saul, Charles R.....	5	Simmons, J. S.	5
Sawyer, Decatur M.....	10	Simon, Alfred L. & Co...	10
Sawyer, Mrs. P. C.....	2	Simpson, Alexander	5
Sayre, Miss M. H.....	20	Skiddy, Mrs. W. W.....	10
Schenck, Miss H. W....	2	Skougaard, Jens.	25
Schieffelin, Wm. J.	20	Slade, Francis L.....	5
Schieffelin, Mrs. W. J...	10	Slade, Miss Mabel	10
Schieren, Mrs. C. A....	5	Sloan, Mr. W. S.....	15
Schiff, Jacob H.....	25	Smidt, Mrs. Grace L....	5
Schiff, M. L.....	25	Smith, Mrs. Andrew A..	5
Schott, Charles M., Jr...	10	Smith, Dr. A. H.	10
Schuyler, Miss Georgiana.	5	Smith, Eugene	25
Schuyler, Miss L. L....	5	Smith, George C.....	20
Scofield, Henry C.....	5	Smith, Howard C.....	10
Scott, Miss Louise B....	10	Smith, James Rufus.....	10
Scott, Walter	5	Smith, William A.....	35

Smith, W. W.....	\$10	Sumner, Miss Sarah F...	\$5
Soltman, E. G.....	10	Sutro, L.	2
Spalding, Mrs. G. A....	5	Swezey, Mrs. Christopher	5
Sperry, W. M.	10	Swords, E. J.....	5
Speyer & Co.....	10		
Spool Cotton Co.....	25	Tack, Theodore E.....	5
Spring, Miss Anna R....	5	Taft, Mrs. T. M.....	5
Squire, George H., Jr...	15	Tailer, Edward N.....	10
Stamford Mfg. Co.....	20	Talmage, Mrs. E. T. H..	10
Starr, Louis M.	15	Tappin, J. C.	10
Steele, Charles	10	Tatlock, John	10
Steele, Rev. James N....	5	Taylor, William J.	10
Steers, James R.....	10	" 10:21:12:26 "	100
Stein, A.	10	Thacher, Thomas	10
Stein, Miss Helen A....	2	Thomas, Mrs. S. P.....	5
Stein, Paul F.....	1	Thompson, Mrs. Fred'k F.	25
Steinhardt, Henry	10	Thompson, Morris S....	10
Stern, Benjamin	10	Thomson, John W.....	10
Stetson, Francis Lynde ..	25	Thorndike, Mrs. Edward .	2
Stettheimer, Mrs. R. W ..	1	Thorne, Samuel	10
Stevens, Mrs. B. K.....	10	Thorne, W. V. S.....	5
Stevenson, Charles C....	25	Tiebout, C. H.....	5
Stewart, Hon. Lisenard.	25	Tiffany, Miss Hilda G...	10
Stewart, Hon. W. R....	10	Tiffany & Co.....	20
Stillman, Miss C. R....	50	Tim, Bernard L.....	5
Stimson, Mrs. H. C.....	5	Timpson, Mrs. James....	10
Stine, J. R. & Co.....	10	Titus, Henry	5
Stires, Rev. Ernest M...	10	Todd, Mrs. Henry A....	5
Stirn, L. & E.....	10	Tomkins, Calvin	5
Stokes, Anson Phelps....	10	Tompkins, Mrs. W. W...	25
Stokes, J. G. P.....	5	Townsend & Dix	10
Stone, Miss Annie	10	Tracy, Mrs. M. M.....	10
Story, Mrs. M. H.....	20	Truslow, John	5
Straus, Percy S.....	10	Tuck, Mrs. Henry	5
Strong, S. B.....	5	Tuckerman, Alfred	10
Sturgis, Thomas	10	Tuckerman, Mr. and Mrs.	
Sullivan, Miss I.....	10	Paul.	5
Sullivan, Mrs. James....	3	Turnbull, Mrs. Ramsey ..	5

Turnure, Mrs. D. M.....	\$5	Watrous, Mrs. Charles...	\$5
Turton, George L.....	1	Watson, Rev. J. H.....	10
		Watson, Mrs. James S...	25
Ughetta, Henry L.	5	Webb, Mrs. H. T.....	5
Ullman, E. S.....	10	Weil, Isaac, M. D.....	5
Ulman, Ludwig	5	Weinman, J.	5
Underhill, W. P.....	5	Welling, W. B.	5
Untermeyer, Charles S...	5	Wellington, Miss E. R...	10
Unz & Co.....	5	Wells, Henry C.....	5
Upham, Mrs. E. K.....	10	Wemple, W. Y.....	10
		Wensley, Robert L.....	5
Van Buren, Mrs. F. T....	10	Wertheimer & Co.	3
Vanderbilt, John L.....	5	Wesley, Joseph J.....	5
Vandergrift, Samuel H..	25	Westinghouse, Church Kerr	
Vanderpoel, Mrs. John A.	5	& Co.	100
Van Hoorn, G.....	5	Weston, Mrs. Theodore...	5
Van Ingen, Mrs. E. H...	10	Wetmore, J. McE., M. D.	10
Van Santvoord, Miss A. T.	10	Whaley, Mrs. S. D.*....	2
Van Winkel, Miss Mary D	10	Wheeler, Miss Emily M..	10
Verdi, Mrs. C. Y. deS...	5	Wheelock, Dr. George G..	10
Vernon, Harold	3	White, Alfred T.	10
Villard, Mrs. Henry.....	25	White, Miss Caroline....	10
Villard, O. G.....	10	White, Miss Frances E...	10
		White, Horace	10
"W. W. A."	10	White, Miss Mary.....	2
Waentig, Charles R.....	10	White, William A.....	10
Wagner, John	10	Whitehouse, Mrs. J. H...	10
Walker, Mrs. S. King....	10	Whitlock, Mrs. D. B....	10
Waller, Miss Anna.....	3	Whitney, Messrs. J. F. &	
Ward, Artemus	10	Co.	2
Ward, Mrs. C. H.....	5	Wicke, William	10
Ward, C. S.....	10	Wilkin, Mrs. William P..	5
Ward, J. Seely, Jr.....	25	Wilkinson Bros.	5
Wardwell, Allen	10	Willcox, William G.....	5
Wardwell, W. T.....	10	Willets, John T.....	15
Warner, Miss Florence ...	5	Williams, Frank D.....	5
Warner, Miss R. J.....	10	Williams, Mrs. I. T.....	5
Washburn, William I....	5	Williams, Mrs. T. S.....	15

Williamson, F. Stewart..	\$10	Wolf, Sayer & Heller....	\$5
Willis, W. P. & Co.....	25	Wolfe, S. Herbert	5
Wills, Chas. T.	5	Wolff, Lewis S.	10
Wilson, Samuel M.....	50	Wood, Orrin S.	2
Winthrop, Egerton L....	25	Woolley, Mrs. A. E.....	1
Winzer, E.	5	Wormser, Mrs. Isidor....	10
Wise, Edward H.	10	Wray, Miss Julia.....	10
Wisner, Charles	10	Wunderlich, F. W., M. D.	5
Wisner, Miss Elizabeth H.	10	Wurzbarger, Adolph . . .	5
Wisner, Miss J.....	10		
Witherbee, Mrs. F. S....	15	Zabriskie, Mrs. Titus....	10
Woerishoffer, Mrs. Anna.	25	Zimmerman, Mrs. J. E. . .	10

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Thanks are extended to the American Express Company for transportation of gifts of clothing to this Association and of books and calendars from it to various penal institutions.

APPENDIX.

AN ACT to incorporate the Prison Association of New York.

Passed May 9, 1846, by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of "The Prison Association of New York," and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation, and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of prisoners, whether for cities, counties or States.
3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining in honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: a finance committee, a committee on detentions, a committee on prison discipline, and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be ex-officio members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents, shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall constitute a life patron; a contribution of \$100 shall constitute an honorary member of the association for life, and a contribution of \$50 shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city as the Court of General Sessions

of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same powers to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and conditions, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties

hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK:

IN SENATE, *May 8, 1846.*

The bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate,

A. GARDINER,
President.

*See section 24.

BY-LAWS.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at the annual meeting shall be as follows:

1. Election of chairman and secretary.
2. The reading of the minutes of the last meeting.
3. Report of committee on nominations.
4. Election of officers.
5. Report of corresponding secretary on the work of the year.
6. Annual report of the treasurer.

IV. The order of business at every other stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

V. The chairman shall appoint all standing and special committees and decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record

them in a book provided for that purpose, and to give due notice of all meetings of the committee.

VII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; and shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

VIII. The treasurer shall have charge of the funds of the association, and shall give such security as the executive committee may require. His duties are more fully defined in by-law X.

IX. There shall be six standing committees, namely, on finance, detentions, discharged convicts, law, house, and library.

X. The committee on finance shall be charged with the duty of raising and caring for the funds.

The funds of the association shall be divided into three parts to be known as:

1. The endowment fund.
2. The reserve fund.
3. The general fund.

The Endowment Fund.—The endowment fund shall consist of such contributions as shall be given with the restriction that the income only shall be used for the purpose of the association, and all legacies.

The Reserve Fund.—The reserve fund shall consist of such sums as may be set aside from the general fund from time to time by the executive committee for investment. Whenever any part of the reserve fund shall be appropriated by the executive committee, such sum shall be immediately transferred to the general fund. The endowment and reserve funds shall be under the immediate direction and control of the committee on finance, and all investments of these funds shall be ordered by the committee. The treasurer of the association shall be a member and act as the treasurer of the committee on finance, and shall be responsible for the safe-keeping of the sureties of the endowment and reserve funds.

Any uninvested balance of the endowment and reserve funds shall be kept each in separate trust companies in the name of the association, subject to check of the treasurer, and shall, when-

ever possible, bear interest. All income from the endowment and reserve funds may be transferred to the general fund as soon as received.

No part of the reserve fund shall be used for any purpose except by resolution of the executive committee, and whenever any part shall be appropriated by the executive committee it shall immediately be transferred to the general fund.

The General Fund.— The term “general fund” shall cover all receipts of the association not constituting a special fund or specified for the endowment fund, the intention being that all the income, except legacies, including donations for general purposes, and income from endowment and reserve funds, shall be credited to the general fund to which the authorized disbursements of each activity of the association shall be charged at the close of the fiscal year.

The treasurer shall notify the corresponding secretary at once of all transfers of income from the endowment and reserve funds to the general fund.

The treasurer shall notify the corresponding secretary immediately on receipt by him of any sum for the account of the association that such receipt may be entered at once to the credit of the proper account on the books of the association.

The corresponding secretary shall be the general disbursing agent of the association, the object of the provision being to keep in the central offices of the association all receipts for payments by him for the association of any kind, nature or description, and to have in the central offices immediate record of all his disbursements. This provision shall not apply to the endowment and reserve funds.

All donations received by the corresponding secretary shall be entered by him upon the proper books of the association and then deposited in such bank as directed by the treasurer to the credit of the association. Whenever the executive committee shall make an appropriation out of either the reserve or general fund, the corresponding secretary shall send to the treasurer a copy of the resolution making the appropriation, certified by the recording secretary, which certified copy shall be the treasurer's authority for transferring the appropriated amount to the corresponding secretary.

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VI. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record

The treasurer shall keep an account covering the general fund in the name of the association, subject to his check as treasurer in such bank as may be selected by him and approved by the committee on finance. Such account shall be separate and distinct from those accounts opened for the uninvested balance of the endowment and reserve funds.

The corresponding secretary shall keep a bank account in the name of the association, subject to his check as corresponding secretary for current disbursements, and shall deposit to the credit of said bank account all moneys he may receive from the treasurer drawn from the general fund.

The committee on finance shall audit and report upon accounts of the treasurer and of the corresponding secretary.

At each regular meeting of the executive committee the treasurer shall make a detailed statement of the receipts and disbursements for the preceding calendar month. He shall make a statement showing investments and the receipts and disbursements of the endowment and reserve funds; he shall make, at the annual meeting of the association, a detailed statement of receipts and disbursements for the fiscal year.

XI. It shall be the duty of the committee on detentions:

1. To inquire, as far as may be practicable or necessary into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and in Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

XII. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged

prisoners and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

5. To consider the internal organization of the management of prisons, and the physical and moral influences to be exerted on the prisoners during their confinement; to report upon their health, reformation, upon convict labor, administration and internal police, on the comparative merits of different prison systems, and on the visitation of prisons and houses of reformation.

XIII. It shall be the duty of the committee on law to examine and report from time to time upon the penal legislation of the State, with their suggestions for the amendment thereto, to consider questions relating thereto which are under discussion in the press or the Legislature, including pending bills, and report their views and conclusions upon them; also to care for the law business of the association.

XIV. It shall be the duty of the committee on house to care for the maintenance of the real estate of the association.

XV. It shall be the duty of the committee on library to see that it is properly housed and catalogued and to take steps for its increase.

XVI. One or more agents may be appointed by the executive committee to assist the standing committees in their duties.

XVII. The president, chairman of the executive committee, and corresponding secretary shall be members, ex-officio, of all the standing committees.

XVIII. No alteration shall be made in these by-laws except upon notice of the proposed amendment given at a previous meeting of the executive committee.



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SIXTY-FOURTH ANNUAL REPORT

OF THE



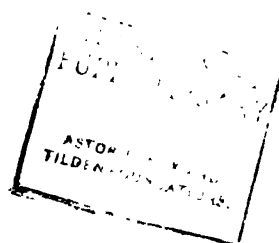
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1909 [1908]

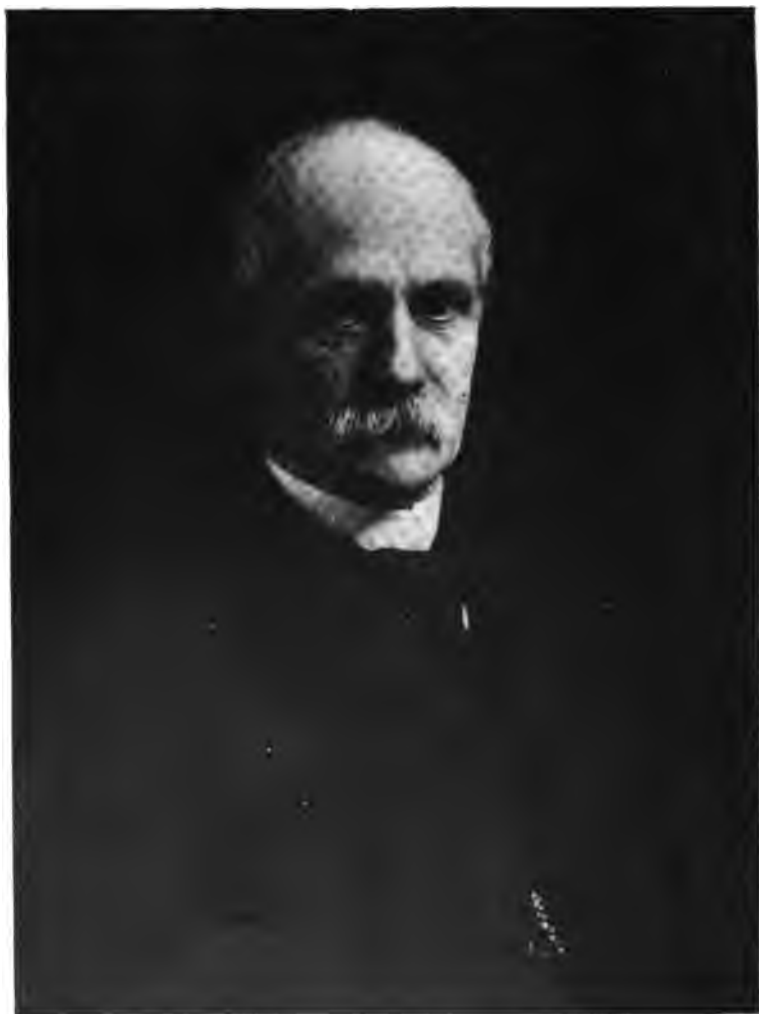
OFFICE OF THE ASSOCIATION,
135 EAST FIFTEENTH STREET, NEW YORK.

TRANSMITTED TO THE LEGISLATURE APRIL 26, 1909.

ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1909



FOOT LOCKER
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SAMUEL J. BARROWS.

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No. 38.

IN SENATE

APRIL 26, 1909.

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OF THE

PRISON ASSOCIATION OF NEW YORK.

HON. HORACE WHITE, *Lieutenant-Governor of New York:*

SIR.—In accordance with chapter 163 of the Laws of 1846, I have the honor to present the sixty-fourth annual report of the Prison Association of New York, and to request that you will lay the same before the Legislature.

Respectfully,

EUGENE SMITH,

President.



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OFFICERS FOR 1909.

President.

EUGENE SMITH.

Vice-Presidents.

WM. P. LETCHWORTH, ROBERT W. DE FOREST,
RT. REV. DAVID H. GREER, FELIX ADLER,
 EUGENE A. PHILBIN.

Secretary.

SAMUEL M. JACKSON.

Treasurer.

J. SEELY WARD, JR.,
135 East Fifteenth Street, New York.

Executive Committee.

W. W. BATTERSHALL,	EDWARD B. MERRILL,
B. OGDEN CHISOLM,	THOMAS M. OSBORNE,
J. FENIMORE COOPER,	FRANK D. PAVEY,
JOHN H. FINLEY,	DEAN SAGE,
AUSTIN FLINT, M. D.,	DECATUR M. SAWYER,
CORNELIUS B. GOLD,	GEORGE G. SHELTON,
WM. H. GRATWICK,	GINO C. SPERANZA,
HENRY E. GREGORY,	J. G. PHELPS STOKES,
ALEXANDER M. HADDEN,	EVERT JANSEN WENDELL,
JOHN W. HUTCHINSON,	MORNAY WILLIAMS,
GEORGE W. KIRCHWEY,	JAMES WOOD.
JAMES MCKEEN,	

General Agent.

D. E. KIMBALL.

STANDING COMMITTEES FOR 1908.

On Law.

Messrs. Williams, Kirchwey, McKeen, Merrill, Pavey, Philbin and Speranza.

On Discharged Convicts and Parole Work.

Messrs. Hadden, Chisolm, Finley, Gregory, Sawyer.

On the Library.

Messrs. Jackson and Wendell.

On Detentions.

Messrs. Wood, Gregory, Osborne, Sage, Shelton and Stokes.

On House.

Messrs. Hutchinson and Flint.

On Finance.

Messrs. Gold, Jackson, McKeen, Stokes and Ward.

PREFACE.

The Sixty-Fourth Annual Report of the Prison Association of New York includes the report of the executive committee, transmitted to the Legislature April 26, 1909, and additional matter down to September 1, 1909. As the financial year of the Association corresponds with the calendar year, the record of donations and the treasurer's report are limited to the 31st of December, 1908. Contributions made during 1909 will be acknowledged in the next annual report.

SIXTY-FOURTH ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK.

REPORT OF THE EXECUTIVE COMMITTEE.

To the Honorable, the Legislature of New York:

The experience of years has shown some of the manifest defects of our prison system. It is costly, antiquated, ineffective. We do not refer to those defects which are due to poor administration and which might be cured by a change of officers; but to those which inhere in the system itself and which can only be remedied by legislative action.

1. Several thousand boys, convicted of minor offenses, are shut up by the State and deprived of the very influences which they need to make them better.

2. Several thousand persons are annually punished for crime who need to be treated for the disease of dipsomania.

3. Tramps and vagrants, shifted from county to county and from jail to jail, are encouraged in their wandering habits.

4. Instead of sentencing prisoners to "hard labor," we sentence several thousand of them to compulsory idleness, which is still harder on the prisoner, harder on the taxpayer, and harder on the free workingman.

Public dissatisfaction with prevailing methods of treating the major part of our prison population is expressed in four bills now before the Legislature, which are attempts to answer in some degree these questions: What shall be done with our youthful offenders? What shall be done with our inebriates? What shall be done with our tramps and vagrants? How shall we overcome the idleness in our jails and penitentiaries?

Of these questions, the first is of prime and fundamental importance.

SHALL WE SAVE OUR BOYS?

New York has never been indifferent to this important question. In 1824 it established the House of Refuge in New York, which was one of the first, if not the first reformatory for juvenile offenders in the United States. It has helped to foster by State or local appropriations institutions in different parts of the State for both sexes, which are excellent models of modern methods in child saving. In 1876 our State also took a radical and important step forward. It broke over the arbitrary line of 16 supposed to separate boys from hardened offenders. It saw that this line was wholly artificial, that the boy of 17 or 18 may be just as much a boy as one of 15, only larger and more dangerous. It saw that the process of education should go on till youth comes to maturity; that even in a physical sense human beings do not arrive at maturity until they have completed one-third of their period of life. Under wise leadership, the Elmira Reformatory was established in 1876, in which the age limit of the educative process was extended from 16 to 30 years. The establishment of this reformatory has been amply justified. It has been copied in several States of the Union and some of its principles have been introduced abroad. It has had a powerful influence in making our prisons more educational and reformatory in character.

While this wise provision was made for those who are felons under the law, no provision, unfortunately, was made for those of the same age who are simply misdemeanants. In other words, the boy who steals twenty-five dollars becomes a ward of the State and has a chance for reformation; but the boy who steals only twenty-four dollars, unless placed on probation, is turned over to the unmerciful neglect and contamination of some county jail or penitentiary. He not only has no chance for education and discipline, but the probabilities are that he will come out much worse than he went in. We condemn the boy to intellectual and moral deterioration. We punish where we ought to educate. A discipline which corrects and develops is beneficent; a punishment which debases is as bad for society as for the offender. It is well established that habitual offenders are made from neglected youth.

The poor boy in New York is pretty well provided for and so is the youthful felon; but the youthful misdemeanant has been overlooked.

It is appalling to think that by a process of legal indifference and neglect a boy may be sent for six months or a year to a jail or county penitentiary where he comes into the most degraded society, where he is without work or schooling except the deplorable schooling in crime furnished by older and hardened offenders.

Appeals to the Legislature to remove this discrimination against the minor offender are not new; they have been made from year to year by the State Commission of Prisons; but in the pressure of other interests they have been unheeded.

A few facts from official figures furnished by the reports of the State Commission of Prisons will show how imperative is the need.

During the year ending September 30, 1908, the number of males committed to the jails and penitentiaries of the State, outside of Greater New York, included the following:

County Jails.

Between the ages of 16 and 21.....	3,644	
Between the ages of 21 and 30.....	9,996	
		13,640

Penitentiaries.

Between the ages of 16 and 21.....	1,998	
Between the ages of 21 and 30.....	3,644	
		5,642
		19,282

About one-third of those committed to the county jails were awaiting trial, or otherwise under confinement, but not convicted of any crime. Here, then, were more than 4,500 boys and young men between the ages of 16 and 30, in the eye of the law presumed to be innocent until proved to be guilty, herded in close contact and association with older and hardened criminals, without labor or employment, in an atmosphere reeking with moral contagion.

Is it possible to conceive of an environment more dangerous to these young prisoners? Could they possibly pass through such an experience, unscathed by its corrupting influences?

But, aside from these 4,500, there were nearly 15,000 other boys and young men between the ages of 16 and 30, confined in the jails and penitentiaries, who had been convicted of misdemeanors. They were confined in the jails and penitentiaries because the State provides no other place for their imprisonment. The report of the State Commission of Prisons may give a vivid idea of what it means to be imprisoned in a penitentiary. The Albany Penitentiary has 256 cells, which are 4 by 7 feet in size and 7 feet high; each cell has an air space of 196 cubic feet, which is less than one-half the standard size required for a cell for a single prisoner; the cells are without ventilation except through the grated doors from the corridors, and night buckets are used. The average population of this penitentiary, within its 256 cells, during the year was 365; at one time during the year there were 540 men, more than two men in a cell. Confined in these squalid quarters, which physically put the health and even the life of the inmates in peril, the prisoners pass their life in enforced idleness, occupied only with the corrupting intercourse of their associates.

Such is the disposition made by the State of New York of its youthful offenders. These offenders are all misdemeanants; that is, they have committed what the laws of the State declare to be minor or petty offenses. Now appears the strange anomaly; if these offenders had committed, not a petty offense but a crime of grave importance, which the law calls a felony, the State would have treated them in a far different manner. For youthful felons, the State has established the Elmira Reformatory where it offers to its inmates splendid opportunities and inducements to reform; it surrounds them with uplifting influences; it equips them with an education in industry, in letters and in morals, giving them the means of leading an honest and useful life after they have earned their release. It would really seem that these laws place a premium on felonies as against misdemeanors. They practically hold out an inducement to the young—"if you must commit a crime, make it a big one, and then the State will do all it can

for you — but if you are content with a petty misdemeanor, you are not worthy of any effort by the State.”

In the Elmira Reformatory, there is (or was) a class engaged in the study of Social Ethics. In the examination of this class, the question was given — Is it better to beg than to steal, and why? One member of the class wrote an answer to this effect: “a hundred years ago, it would have been better to beg than to steal — but at the present time it is undoubtedly better to steal than to beg, because the thief, being sent to a reformatory, will be reformed and fitted out with an education which will enable him to earn a living so that it will never be necessary for him to either beg or steal.” The answer seemed burlesque, but does it not contain some worldly wisdom for the young man deliberating between a felony and a misdemeanor?

The commission of a misdemeanor, and not a felony, is generally the beginning of a criminal career. The petty crimes come first and, as the offender grows hardened and obdurate, the graver crimes follow. The misdemeanant, therefore, as the beginner in crime, ought to be the first object of the State's endeavor; his case is more hopeful than that of the felon and he will, presumably, be more amenable to reforming influence. The splendid results obtained at Elmira, even with felons of whom nearly four-fifths appear to have been reclaimed, give good ground of hope that the same methods applied to misdemeanants might be made to yield results even more successful. The Elmira Reformatory is the most notable enterprise the State of New York has ever engaged in; it has been also one of the most profitable ones. There can be no doubt that a reformatory for misdemeanants, conducted on lines similar to those at Elmira, would prove, on economic grounds, an investment which would repay to the State, many times over, the cost of its establishment; while its value to the State, in young men and boys rescued from crime and trained to useful citizenship, would be beyond calculation.

TREATMENT OF INEBRIETY.

Intoxication in a public place is made a misdemeanor by section 1221 of the new Penal Code of this State, punishable by a fine of not less than three nor more than ten dollars, or by im-

prisonment not exceeding six months, or by both such fine and imprisonment. Drunkenness is such a prolific source of crime that its repression is a fitting object of legislation; but it is probable that the method adopted by this section of the Code is the worst of all the methods that have been tested. Indeed, there are very few problems of legislation more difficult to solve than that of the proper disposition to be made of drunkards. For many years the subject has received exhaustive examination by Legislatures, by medical societies, by hospitals, by philanthropic bodies, both in this country and abroad. On one point there is absolutely unanimous concurrence, namely: that small fines and short terms of imprisonment are wholly ineffective. They are not only ineffective; they are positively injurious. Imprisonment in the county jail, for however short a time, throws the offender into forced association with criminals, covers him with added disgrace in the eyes of his acquaintances and the public, discourages efforts at self-control and renders it difficult for him to regain his previous employment or to secure a new foothold for self-support. This treatment, universally condemned and obviously worse than useless, is the only treatment adopted by the Penal Code of New York.

Here, as in most cases of perverse conduct, habit is all-powerful. The first offender, the beginner, should be the object of the most solicitous care; at that stage there is hope for radical cure. But when the law has to deal with the habitual drunkard the case is well-nigh hopeless. When this stage is reached the habit has often produced a condition of disease, sometimes with periodical seizures, which the patient is as unable to control by power of will as a lunatic is unable to stop his hallucinations and frenzies. It then becomes a case of mental and moral impotency and the habitual drunkard, in justice to himself and to the public, should be subjected (like the lunatic) to compulsory confinement and medical treatment; and these must be continued indefinitely, through a prolonged period of time, and not remitted until he can safely be restored to freedom. Enforced abstinence from intoxicants and healthful occupation in the open air at some employment which may enlist the patient's interest and engage his thoughts are most obvious elements in a treatment that may exert a curative tendency.

The State Charities Aid Association, through its standing Committee on Hospitals, has recently made a most careful study of legislative measures for the correction of inebriety; and, based upon this action of the Association, a bill has been introduced to provide a comprehensive plan of treatment for drunkenness in New York city. The bill creates a City Board of Inebriety of five members and proposes the establishment of a central bureau of records which shall maintain a descriptive list (with means of identification) of all persons arrested within the city and found guilty of "intoxication in a public place." The object of this bureau is to afford evidence to the court whether the prisoner has been previously condemned for the offense and, if so, when and how often. If he is thus found to be a first offender he is discharged after investigation, without subjection to the disgrace of being brought into court or to the demoralizing effect of imprisonment with old offenders. If he is arrested a second time within twelve months after the first arrest, and found guilty, he may be released on probation, with or without a fine to be paid in instalments, or he may be committed to the Board of Inebriety upon an indeterminate sentence having a three years' maximum. The bill also provides for the establishment under the management of the Board of a hospital and industrial colony where drunkards may be confined under medical treatment; refractory patients may be removed to the workhouse for a term of not less than one year upon application of the Board. This is a brief summary of only a few of the leading features of the bill.

The general plan of establishing hospitals or reformatories for the special treatment of inebriates has been adopted extensively in other States and in foreign countries. In England especially, several acts of Parliament have been passed within the last thirty years relating to the establishment of retreats and reformatories for the confinement of habitual drunkards. The retreats, however, are private institutions supported and managed by philanthropic bodies. It is only within the last ten years that reformatories for this purpose have been created as public institutions controlled by the State. In 1908, Parliament appointed a special Committee to investigate the operation of the laws relating to inebriates. This Committee has made a very extensive

and exhaustive report in two volumes recommending some important modifications in the existing laws. Public opinion in England seems to be adverse to the treatment of inebriety as a crime and to the compulsory confinement of habitual drunkards. This is founded, of course, on extreme jealousy in guarding the liberty of the individual; but the argument for personal liberty has no greater application to the habitual inebriate than it has to the lunatic. When we consider what a constant source of misery, terror and danger the confirmed drunkard is to his family, what a menace he is to the public, how the moral debasement resulting from drunkenness tends toward crime, and how helpless the drunkard is to effect his own rehabilitation, surely the duty of protection which the State owes to all its subjects justifies his forcible confinement by public authority. This is entirely aside from any consideration of the humane motive to save the drunkard himself from utter wreck.

Within the United States, Massachusetts, Pennsylvania, Iowa, Minnesota, Nebraska and Connecticut have established institutions for the separate treatment of inebriates. Two similar institutions were created in the State of New York more than forty years ago, one at Binghamton and the other in Kings county. The laws relating to them were defective in failing to give control over the persons committed to them for a sufficiently long period to secure permanent restoration, and both institutions were given up many years ago.

The weight of authority and the experience of other States and abroad are decidedly in favor of institutional treatment for confirmed dipsomania. For inebriety in the earlier stages, the system of release upon probation, with the aid of probation officers, has proved signally successful in many instances. In the cities of Chicago and St. Louis, such release is granted upon condition that the prisoner sign a pledge of abstinence for one year and it is claimed that this feature has proved useful.

FARM COLONIES FOR VAGRANTS.

Other measures before the Legislature also have reference to the habitual drunkard. Several bills have been introduced for the establishment of one or more farm colonies to which vagrants, habitual drunkards and transgressors of the laws relating to rail-

way trespass may be committed. The plan contemplates the acquisition by the State of one or several tracts of land in the open country upon which institutions shall be established where the tramps, drunkards and trespassers may be held in confinement, under an indeterminate sentence not exceeding two years, and kept at labor; the labor to be largely agricultural and horticultural, the life on the farm colony to be, as far as practicable, farm-life. Under the existing laws this class of offenders crowd the county jails and county penitentiaries; especially in winter they often court confinement in these secure resorts where they can live in idleness at the public expense and enjoy the corrupting companionship of each other. The present system is exceedingly expensive to the public and if the question be asked — what useful end does it serve? the only possible answer must be that it prolongs the life of the prisoners. It is, of course, humane to keep these people alive, but it would be difficult to devise a more inhumane mode of life than that passed in the environment of these prisons. For some better plan there is urgent need.

To place these unfortunate beings in the pure atmosphere of a country farm, to keep them employed at healthful labor, to subject them to a firm discipline, to teach them the elements of moral and mental education, to awaken in them dormant self-respect and ambition by the methods of reformatory training and to hold them for a sufficient period of time to enable these developing processes to have some lasting effect; this is the treatment that not only humanity but a sound economic policy dictates. It can be made to bear some fruit in reclaimed lives; and whether it does this or not, the farm colony ought to be so conducted as to be in large measure self-supporting, or at least less expensive than the present unproductive method of support in jail and penitentiary. Another indirect but most beneficent result of the farm colony would be a material diminution in the number of tramps in this State: the desire for a less strenuous and more unlaborious life would lead many of them to seek some more genial climate.

STATE WORKHOUSES FOR MISDEMEANANTS.

The bills for the establishment and maintenance by the State of workhouses propose the commitment of misdemeanants to these

workhouses, instead of (as at present) to the jails and penitentiaries. The plan contemplates the purchase or leasing by the State of the four penitentiaries, located at Albany, Syracuse, Rochester and Buffalo, the utilization of three of them as workhouses and the conversion of the remaining one into a reformatory for misdemeanants. These penitentiaries are the property of the counties in which they are severally situated and they are operated by the county at burdensome expense. Prior to the adoption of the State Constitution of 1894, industries were carried on in these penitentiaries which provided largely for the cost of maintenance. It is now found so difficult or impossible to market within the county the products of such industry under the restrictions of the Constitution that most of the prisoners confined in the penitentiaries are kept in enforced idleness. The same conditions prevail in the county jails. It is claimed that if these penitentiaries were administered by the State the Superintendent of Prisons would establish industries there and market the product as he now does that of the State prisons; and that the prisoners would thus be kept employed at productive labor.

The Prison Association has long advocated the ownership and control by the State of all the prisons in the State. There is no logical reason why a county should operate a prison. Criminal laws are enacted by the State, never by the county; all persons who are condemned to imprisonment by the courts as offenders against the laws of the State should be held in custody and be maintained and controlled under the authority of the State. A county is lacking in the official equipment and in the pecuniary resources demanded for the efficient administration of a prison. There should be uniformity and co-ordination in the management and discipline of all the prisons in the State, which can only be attained under a system of central control. For these reasons, this Association warmly favors the acquisition of the county penitentiaries by the State and the conversion of them into State institutions.

There still remains for consideration in connection with the subjects already discussed, the fourth and last topic proposed at the beginning of this report, namely:

HARD LABOR FOR PRISONS.

Reference has been made to the State Constitution of 1894, which contains the following section (Art. 3, § 29):

“The Legislature shall, by law, provide for the occupation and employment of prisoners sentenced to the several State prisons, penitentiaries, jails and reformatories in the State; and on and after the first day of January, in the year one thousand eight hundred and ninety-seven, no person in any such prison, penitentiary, jail or reformatory, shall be required or allowed to work while under sentence thereto, at any trade, industry or occupation, wherein or whereby his work, or the product or profit of his work, shall be farmed out, contracted, given or sold to any person, firm, association or corporation. This section shall not be construed to prevent the Legislature from providing that convicts may work for, and that the products of their labor may be disposed of to, the State or any political division thereof, or for or to any public institution owned or managed and controlled by the State, or any political division thereof.”

When the Constitutional Convention which framed the Constitution was in session the Prison Association united with other advocates of prison reform in earnest efforts to prevent the adoption of this section. While it was freely admitted that the employment of prisoners at public work (as provided in the section opposed) was the best, and indeed the ideal, form of prison labor, it was confidently urged that it would be found impossible to provide a sufficient amount of the prescribed kind of labor to keep all the prisoners employed. The Association, defeated before the Convention, prepared a concurrent resolution, which was submitted to the Legislature of 1895, amending the section in question so as to read as follows:

(Art. 3, § 29). “All prisoners sentenced to the several State prisons, penitentiaries, jails and reformatories in the State shall be kept occupied and employed at labor; and on and after the first day of January, eighteen hundred and ninety-seven, no such prisoner shall be required or allowed to work at any trade, industry or occupation wherein or whereby his labor or time shall be farmed out or contracted to any person, firm, organization or corporation. The Legislature shall provide for the employment

of such prisoners, as far as practicable, upon public works, or in the manufacture of supplies required for the use of public institutions owned or managed and controlled by the State or any political division thereof."

This resolution was duly adopted by both houses in 1895. To become effectual, it was necessary that the same resolution should be adopted by the next succeeding Legislature (1896), and after having been adopted by two successive Legislatures, should be ratified by popular vote. The resolution was introduced in the Legislature of 1896, but was defeated through the opposition of labor interests.

The constitutional plan of prison labor thus established has now been under trial for some twelve years. It is not too much to say that the apprehensions and predictions urged before the Constitutional Convention have been entirely justified. Not only have the penitentiaries, which contained as many prisoners as the State prisons, been compelled to give up their industries, but at no time since the Constitution went in force have the prisoners in the State prisons been employed at what is called "hard labor;" it has been found possible to keep a part of the prisoners at work a part of the time. This is through no fault of the State Superintendent of Prisons or lack of effort in the administration of the prisons. The difficulty is inherent in the situation and inevitable: the constitutional restriction does not leave enough work available to keep all the prisoners busy. This most unfortunate fact has vital bearing upon the proposed farm colonies and work houses; it has vital bearing and casts its blight upon every scheme that may be suggested for the reformation of offenders against the law. Productive labor is the one absolutely indispensable agency for reform; reformation without labor is an impossibility, a chimera. If the State prisons now engross practically all the prison labor allowed by the Constitution and yet find it insufficient to keep all their prisoners fully employed during all the working hours, from what source shall labor be provided for the thousands of tramps, habitual drunkards and other misdemeanants now supported in idleness?

This noxious section in the Constitution has burdened New York with wholly unnecessary expenditures, mounting into millions, for maintaining idle convicts; it has done far greater damage in crippling the discipline and the industrial education and training of the prisoners; it has created an insurmountable barrier against the development of a practical, economical, reforming prison system.

EUGENE SMITH,

President.

FROM THE JOURNAL OF OUR PROBATION OFFICER.

D. E. KIMBALL, GENL. AGENT.

The Courts of General Sessions have submitted to me for investigation the cases of 1,051 persons convicted of crime. Written reports were submitted in each case; in most instances a recommendation as to disposition or sentence was embodied. The judges all favor the application of probation for first offenders where circumstances seem to warrant such leniency, and 277 persons were permitted to go at large in the custody of the Association, as the figures which follow indicate. Age is not taken into consideration; old and young men and women benefit by probation, and most of them show their appreciation of the court's mercy by living honestly and peaceably.

An examination of the crimes committed by probationers may be of interest. One hundred and eighty-seven were convicted of felonies and 90 of misdemeanors. All were indicted for felonies, but in the latter case the offenders were permitted to plead (in most cases) to smaller crimes.

1908.

Cases investigated	1051
Paroled or released on suspended sentence	277
Judge Foster	125
Judge Crain	69
Judge Mulqueen	55
Judge Swann	11
Judge Rosalsky	11
Judge Malone	4
Judge O'Sullivan	2
	277

Crimes of Paroled.

Grand larceny, second degree.....	80
Attempted grand larceny, second degree.....	7
Grand larceny, first degree.....	2
Petit larceny	63
Burglary, third degree.....	27
Attempted burglary, third degree.....	9
Burglary, second degree.....	1
Assault, second degree.....	10
Assault, third degree.....	15
Forgery, second degree.....	8
Attempted forgery, second degree.....	1
Concealed weapons	15
Injury to property.....	12
Unlawful entry	3
Receiving stolen property.....	3
Gambling laws	6
Bigamy	2
Misdemeanor	2
Railroad laws	2
Policy	2
Rape, second degree.....	2
Robbery, first degree	1
Cocaine	1
Attempted suicide	1
Illegal voting	1
Attempted sodomy	1

RESTITUTION.

In some instances, the courts have released convicted prisoners on probation with orders to make restitution to their victims on the installment plan through the office of the Association. The scheme works very well in most cases and will be extended in years to come. One man convicted of abandoning his child has been paying \$5 a week toward its support for two years. A young woman who stole \$200 from the trunk of another woman who lived in the same house is restoring the money through our office, paying \$5 a week. A boy who stole some valuable clothing and jewelry pays \$2 a week, which is sent by the Association to a woman in Cuba, whose apartment was robbed while she was living here. A young man, now in California and reporting each week by mail, restored to his former employers several hundred dollars. Another man who broke a saloon window, because he was refused more liquor, pays \$1 a week. Two bigamists made heavy payments toward the support of wronged women.

Reading between the lines, one can see that financial loss is saved in some instances, while in others actual want and suffering are averted by probation; but, better still, those who have been found guilty of crime are not sent to institutions where they might learn the ways of professional criminals and become such themselves through the evil associations. The innocent relatives are not deprived of the bread winner of the family; he remains at home and supports them, knowing full well that sentence is only suspended; that if he fails to do his full duty, probation will be cancelled and his arrest and imprisonment will follow as surely as night follows the day.

In a few instances it has been found necessary to incarcerate young offenders a second time for violation of the minor conditions of probation, such as laziness, keeping bad company, staying out late at night, etc. A few days in the city prison in such cases works wonders; then the judge gives them a second admonition and they are liberated again upon probation.

It is agreed by all who have given the subject careful thought that probation is better than imprisonment for first offenders, but among those who were conditionally released was one young man who had by his acts fairly earned the right to be adjudged a confirmed or incorrigible criminal. He had served three terms in prison for theft and forgery. His aged mother pleaded for her boy and her pastor promised to aid in every way he could to make the young man a useful citizen. After much hesitation, the judge allowed him to go, and he is one of the best probationers on the Association's list, has a good place of employment, and has changed completely.

WORK AMONG BOYS.

As probation officer of the Court of General Sessions it has always been my habit to devote as much time as possible to the cases of boys charged with crime and in danger of becoming professional criminals through evil environment at home or through vicious companions in institutions. The very worst thing that can happen to the average boy is to be committed to an institution of any sort; at least that has been my experience in more than twenty years of dealing with court cases.

Many crimes are but boyish pranks when carefully investigated, and are thrown out of court when all the facts are brought to light. The lad who raids another boy's pigeon coop is a "burglar"; the one who is victor in a street fight with a companion is charged with "felonious assault"; another who stops a chum at night and takes his jack-knife, marbles or pennies may be classed as a "highway robber". In a case of this kind, a learned Judge of the Supreme Court once said to an overzealous policeman in my hearing: "Officer, if you had been on duty in my street when I was a boy, I would probably have been in prison instead of on the bench; policemen in my day knew the difference between boyish mischief and crime. They did not try to see how many arrests they could make. Try to be more careful and discriminating in the future; try and remember that you were a boy once yourself."

Of course many serious crimes are committed by boys who must be subjected to correctional influences for their own good

and for the protection of the public, but it is the duty of the probation officer to select from such offenders those who are or seem to be proper cases for probation, reformatory or prison. About twenty per cent. of all prisoners coming under my observation are released on probation. Seventy per cent. go to reformatories and ten per cent. to prison, at least that has been my experience. A few cases from my records are appended as illustrations.

A boy of sixteen years who had never been in the city but had been brought up on a farm, came to New York to visit a relative. He met a city boy who inducted him into the glories of ten cent theatres, "2½c a cue" poolrooms and other temptations dear to the hearts of boys who are permitted to roam the streets of New York. The country boy had a little money given to him by his grandfather before leaving home, but this was soon spent in "seeing the sights." The city lad told him of an easy way to get money and induced him to act as "look out" while he stole into a flat to get something to pawn. Both boys were caught and pleaded guilty to the crime by my advice. The record of the city boy was not good, although he had never been convicted of crime — he had never been caught before. The judge was in doubt as to what course to pursue in finally disposing of the boys, as the country boy had never been in such trouble before and was frightened to such an extent that his condition was pitiful to witness. Not wishing to make fish of one and flesh of another, the judge suspended sentence on both boys, and I sent the country boy home to his grandfather. The city boy behaved well for a short time, but soon returned to criminal ways and I was obliged to have him sent to a reformatory.

Herman was not seventeen years old. He had just left school, was an only son, and his mother was a widow who earned a living by working as a laundress. The boy had worked a short time on a department store delivery wagon, but when the warm weather came he was thrown out of work. He wanted a bicycle badly and knowing that one was stored in the cellar he broke open the door of the woodbin, got the wheel and had the good time he craved. The breaking open of the woodbin door was burglary, and the boy was in the Tombs when I found him. On my

recommendation the boy was allowed to go on probation and the bicycle was restored to its owner. The boy said he only wanted to ride the wheel and intended to take it back where it belonged. He failed to realize the serious nature of his act.

A Cattaraugus county boy of sixteen stopped me in the city prison and asked for money to pay postage. This opened the way to his story. He said he had always worked around horses and came here to get work in an auction mart where horses were sold. His money lasted four days, and in the furnished-room house where he had been stopping, he met another boy who gave him some clothes to pawn. He tried to get money on them, but a detective who happened to be in the pawnshop questioned him closely, and as a result both boys were arrested. It transpired that the boy who gave him the clothes had stolen them from another room in the house during the owner's absence. No property was lost and both lads were released on probation. I had the country boy clothed and fed and then sent him back to his native town.

A seventeen-year-old errand boy, who had been trusted by his employers, a firm of Wall street brokers, with thousands of dollars, surrendered to temptation in a most unusual way. Another boy in the firm's employ stole \$400, and, overcome by remorse, put the money in an envelope and returned it to the office of the firm, where it fell into the hands of the first named boy. He was afraid to return it and abandoned his situation. He was soon arrested and acknowledged his guilt with many tears. Investigation proved that he came from a good German family in Brooklyn; that his father had a little business and that the family was highly regarded by all who knew them. The father restored the money to the firm and the pastor of the church to which the family belonged joined with complaining witness in asking the court to give the boy one more chance to prove himself worthy of respect. The judge told the boy that he would allow him to serve his sentence in the care of his pastor and the Prison Association. instead of in a prison and allowed him to go on probation.

Frank —, an overgrown boy of Bohemian parentage, the son of a saloonkeeper, stole some harness from a stable to get money to go to a theatre. His father would have given him money, but

the boy would not ask for it; he was too proud — a most peculiar temperament indeed. He was in the habit of tending bar while his father was at his meals and might have taken small change from the till, but he scorned to do such a mean act and said his father should have offered him money, as he must have known he needed it. He pleaded guilty in court, and because of the evident indifference of the boy the judge sentenced him to the Elmira Reformatory, but gave orders to have the commitment held for a week; at the end of that time I talked with the boy and found him penitent and tearful, but resigned to his fate. I had him brought before the court once more and severely reprimanded by the judge, after which he was released on probation.

When he had been on probation a few months his father complained that his son had left home and I caused his arrest. He said he was disgusted with trying to get work and left his father rather than tend bar, as the business was repulsive to him. As this proved true I secured his release a second time. He then went to a recruiting office and now wears the uniform of the U. S. A.

A young Hollander, twenty years of age, working as delivery boy on a grocer's wagon in the suburbs, developed an unusual disposition for mechanics and occupied his spare time by working on a small motor launch which he had completed except for a motor, which he was unable to buy. He saw in a barn an old engine, which was just what he wanted, and was tempted to take it. He did so and his arrest resulted. He was indicted but, when arraigned before Judge Foster for pleading, told his story in such a way that the judge dismissed the indictment after an investigation and released the boy on probation, after giving him a severe reprimand and a warning as to his conduct in the future. The boat was a crude affair, but a few weeks later the boy found a customer and sold it, and next summer says he is going to build a larger one if he can save money during the winter.

DISCHARGED PRISONERS AND RELIEF.

The accompanying tabulated report of the work of helping those who have been in prison explains in one way what the Association is doing and a very few cases follow to show how the work is done.

In former reports details have been given. Clothing, food, shelter, employment, transportation and advice are given always with a view to the permanent reclamation of the individual, the aim being to help men to help themselves back into the ranks of the law-abiding rather than to give alms or to pauperize those who have been in prison. There is in this and in every large city a class of mendicants who might be classed as professional prisoners who successfully impose on good people. Few of them apply at our office.

This work is most important, but if the indeterminate sentence, parole and probation work could be successfully applied in all institutions and courts, it would be reduced to a minimum.

A talented young man of good family, twenty-three years old, discharged from the penitentiary, was regarded by his family and self as natural thief, having twice been convicted of larceny. Temptation to steal irresistible notwithstanding consequences. We were appealed to by his mother for advice. Our agent, after acquaintance with boy's history, home life and associations, arranged complete change of environment. Parents and boy consenting, he was sent on a cattle boat to Liverpool, carrying letters of introduction to friends of our work in England. He is to-day confidential secretary for a gentleman in France. He writes us every month, reporting success and honesty of life. Following are letters from himself and from the friend to whom we sent him:

GENOA, Italy, *June*.

FRIEND.— Just a line letting you know that I am getting along first rate and that I am glad I took this trip. Just at present I am in Genoa traveling with a gentleman of quite some fortune and who has listened to the story of my life in New York and in return has offered me a position as his secretary. He is a gentleman who treats me just as if I was his son, and who does everything he can for my good. I met him in Paris in the office of the New York Herald, and it was there I first got a position in a foreign land. I am feeling fine and I realize now that I done a good thing when I left New York behind me. Now I'll have to close, as I've got to do a little writing for Mr. B. Thanking you for all the kindness you have shown toward me, I remain,

Yours truly,

(Signed) G——.

LONDON, E. C., *June.*

DEAR SIR.— You will be glad to hear that G—— called here on June 1 and handed me a letter addressed to Mr. N., which I took the liberty to open, as Mr. N. is now in Canada. Therefore, I trust that you will pardon my action. However, I endeavored to carry out your wishes. The young fellow spent the morning at my office and we had a good sound talk and parted very good friends. He left London the same evening for France, having a desire to do so, as in that country he has relatives and hopes to find employment, and promised faithfully to lead a true life. I offered to give him a letter of introduction to some friend in London, but his mind was set upon France. I went with him to book his passage, and believe he left London at 9 p. m. He was very eager for me to write and tell you that he had obeyed your commands, and I know that he had some trouble in doing so, for he told me that he arrived here at 7 a. m., and immediately set out for the address on letter, which was not correct, and the poor fellow had a roving time. But by 10 a. m., he arrived at the right destination. He promised to write me on his arrival in France, so I hope to keep in touch with him and will send you his address as soon as I hear. Trusting that we may hear of a change of life in this young fellow's case, with all good wishes in your work, believe me,

Very sincerely,
—————
"C. B. M."

A. K., twenty-seven years old, morphine victim for eleven years, discharged from the penitentiary five years ago, appealed to us. Was willing, if necessary, to be committed to prison in order to overcome his weakness. He has proved his sincerity by voluntarily surrendering his supply of morphine and syringes. He was placed in the care of a private family in the country, who consented to give him care. He agreed to submit to our plan designed to aid his recovery. He submitted to our treatment for a short time, but has disappeared, leaving his drugs with us. It is likely, we feel, that we will see him again.

J. R., forty-five years old, discharged prisoner unable to procure a position, friendless, came direct to us with \$10 given him on his discharge. Was advised how to live most economically and since using up his own money has been aided by temporary work for which he has been paid. No discharged prisoner giving evidence of real desire for work is turned away without some help.

Nine dollars to J. S., a probation prisoner, being half rate transportation to Michigan, subsequently returned to New York and at present in hospital suffering with tuberculosis.

Eighteen dollars in small sums to J. H. and wife, both suffering with tuberculosis and unable to work steadily.

Ten dollars to Mrs. M. for the relief of her daughter, twenty-one years old, about to be confined, husband in prison. This family was granted a stay of execution of dispossession proceedings owing to her daughter's condition. Mother now has position of housekeeper for her daughter.

Other financial help given in cases of wives left destitute with infants in arms, whose husbands are in prison. Positions temporary and permanent are being constantly procured for discharged prisoners, four of these having recently proved unfaithful and three returned to prison.

A good home containing every moral influence has been provided for a girl nineteen years of age, who had been deserted after promise of marriage by an ex-prisoner, and the man was returned to prison.

Two pensioners of the Association have been given \$51, one of these a reformed criminal eighty-six years of age. About \$27 has been loaned to men on parole whose absolute release may be refused until they pay their debts. Ten dollars to Mrs. H., whose husband is an ex-letter carrier and now in prison. This poor woman supports herself and three children cleaning seventy-five rooms a day in a hotel for five dollars a week. She was dispossessed from her basement room where she lived with her three little ones because of its unsanitary condition.

RELIEF WORK.

ANNUAL REPORT DISCHARGED PRISONERS, 1908.	Janu- ary.	Febru- ary.	March.	April.	May.	June.	July.	August.	Septem- ber.	Octo- ber.	Novem- ber.	Decem- ber.	Sum- mary.
New York Penitentiary...	44	46	43	34	33	30	32	34	36	39	41	49	461
Sing Sing.....	6	8	7	1	2	3	4	5	4	6	7	8	61
Clinton.....	3	4	3	3	1	1	2	3	4	5	6	5	40
Auburn.....	1	2	4	1	1	2	2	1	3	2	4	5	28
Elmira and Napanoch.....	50	31	53	50	54	73	76	41	48	49	49	89	663
Other prisons.....	10	21	20	26	24	29	20	22	19	20	22	23	256
Summary of prisoners:													1,509
Given work.....	12	16	12	11	10	11	10	12	11	13	14	16	148
Steady work.....	7	9	8	7	6	9	6	8	9	10	13	15	105
Days' work in house.....	72	73	84	62	83	76	80	86	86	89	96	98	988
Transportation.....	4	5	6	6	5	4	4	6	4	4	5	4	57
Garments given.....	104	109	104	65	78	66	60	48	54	60	82	93	923
Lodgings given.....	151	188	196	162	163	81	83	154	122	169	203	187	1,859
Meals given.....	753	911	916	784	567	480	702	703	645	790	898	898	9,017
Books issued.....	180	0	425	126	150	0	100	50	100	100	150	140	1,522

PAROLE WORK.

REPORT OF WILLIAM H. SPENCER,

PAROLE AGENT OF THE PRISON ASSOCIATION OF NEW YORK FOR
ELMIRA AND NAPANOCH REFORMATORIES, FOR YEAR 1908.

If it be true, as sociologists assert, that the rise and fall in the number of marriages corresponds very nearly to the rise and fall in the staples of food, it is quite as true that there is a kind of barometrical relation between fluctuations in the demand for labor and statistics of crime. No surer does an excessively severe winter drive the wolves from the woods out into the open and down upon the farmer's sheep fold than does the stress and strain of hard times drive a considerable number of the unemployed,—those whose predatory instincts are only held in check by fear of legal punishment,—out into open outlawry and crime. We are not, therefore, surprised to learn that the economic strain of the past year bore specially hard on the Elmira paroled prisoners. Wages were low and often irregular also. The best workmen might hold their jobs but the poorer sort would be likely to be laid off. They would look half-heartedly for a few days for work and grow discouraged, indifferent, demoralized. Their habits of industry were too flabby and unformed to stand a long strain. Then it was that the wolves in them began to sniff and prowl and unite in packs to invade the barriers which law has erected to protect life and property. And the last state of that Elmira man is worse than the first. I do not wish to imply that all of the paroled men who “fell down” when the wave of business depression swept over our city would have stood upright and have walked in the straight and narrow path had times been good and work aplenty, but simply that irregular work and inadequate wages were factors in swelling the number of violations of parole, and depressing the ratio of the reformed to the number paroled to us. And this crime-engendering effect was felt not simply on the 663 who were reporting to us, but quite as severely on the thousands who have

received their absolute releases in years that have passed. After saying thus much, the reader is prepared for a not altogether satisfactory report, regarded from the reformatory standpoint.

Number of men paroled from Elmira during the year 1908.....	554
Number of men paroled from Napanoch during the year 1908.....	109
	663
Number of men granted absolute releases, Elmira.....	327
Number of men granted absolute releases, Napanoch.....	44
	371
Number of warrants issued for delinquency, Elmira.....	133
Number of warrants issued for delinquency, Napanoch.....	26
	159
Number of warrants issued for crimes, Elmira.....	79
Number of warrants issued for crimes, Napanoch.....	14
	93
Number of men returned to Elmira.....	64
Number of men returned to Napanoch.....	8
	72
Number of Elmira men sentenced to State prison	43
Number of Napanoch men sentenced to State prison	2
	45
Number of Elmira men sentenced to penitentiary.....	16
Number of Napanoch men sentenced to penitentiary.....	5
	21
Number of men wanted for, or convicted of crimes after receiving their absolute releases in years past	105
Number of men sentenced for crimes where no reformatory warrant was issued	6

If the record of 1908 is not one to be proud of from the reformer's point of view, it does look well from the detective's standpoint, and when one takes into account all the circumstances, the hard times and the character of the men who have

recently been committed to Elmira, there is no reason for discouragement. I saw the *character* of the men. It is poetry to speak of such men as first offenders. Many of them are young in years, but old in crime. They have had experience in juvenile reformatories in this city, perhaps for the last ten years, and of them. They are in short young "toughs," toughs in the toughest section of the toughest city in the United States. Some of them are native born, but a considerable number have come to our shores from Southern Italy, from Sicily and Calabria. We have now on parole two Italian blackmailers of the "black hand" type,—and they look it. Others were convicted of the gravest crimes, burglary and robbery in the first degree, and occasionally one guilty of manslaughter. When such criminals as these are sent to Elmira, it raises the question what consideration influenced the courts? It is no reproach to Elmira Reformatory that it has not reformed the hardened criminal, as many are who are committed to that institution and paroled to us. It did all that it could for them, but it could do little more than wash their faces, cut off their tobacco and restrain them from plundering the public for thirteen months. When paroled to us, they are directed to go to a place to work which we have with considerable pains investigated and approved for them. Instead, they probably take a bee line for some Bowery dive where they meet their old pals and concoct schemes for a new career of crime. It seems to us that it is worse than a farce to send such men to Elmira. It is a mockery of reform, an outrage on justice, a grievous infliction on the innocent and long suffering public. They are burglars or pickpockets or horse thieves, or blackmailers, or highway robbers with guns in their pockets and blackjacks up their sleeves. They are men, not boys, men who as boys probably drank in depravity with their mother's milk and had it beaten into them by a drunken father's fist. To reform such men as these, one would need to start with their parents, perhaps with their grandparents. We must first *form* before we can thoroughly *reform*. The father of one of these boys wrote me recently, begging me to look after his son on parole, that he was drifting into bad company, and added: "I can't go to see you, as I am in Raymond Street Jail."

Let me give you one illustration of the hardened crook, such as we frequently have to deal with. A man of 23 years of age, "C. C." by name was paroled to us recently. Two days after he arrived, he asked to be allowed to go to Pittsfield, to work for a brother-in-law. He said he was to travel back and forth from New York and would report in person regularly. Permission was granted. Later he reported that he was in business for himself, but on the road all the time. The sequel showed that he was dealing in horses. He walked the streets of Brooklyn, Manhattan and the Bronx with a lad of 15 or 16 by his side, a hungry, homeless boy, in the regular line of his business. When he chanced to discover an unsuspecting driver of a delivery wagon stop his horse and disappear with his basket for his patrons, the boy was instructed to take the driver's seat and rush the horse around to some specified corner of the streets where "C. C." would unhitch the horse, mount his back and hurry the animal to a receiving stable where some scores of other horses were secreted, later to be shipped and sold in Providence and elsewhere. The boy received for his services board and lodging and cigarettes at one of the Mills Hotels. This modern Fagin said in his reports: "I am in business for myself and getting on fine and I am thankful to you, Mr. Scott, for all you done to make me an honest man." He is now in the Tombs awaiting trial. Since he was lodged there he has had the audacity to write to Elmira, begging to be taken back, saying: "I am not guilty of the crime with which I am charged, but they know I am an Elmira man and I have no show." His next sojourn, I think you will agree with us, should be "up the river."

A RECLAIMABLE TYPE OF CRIMINAL.

March 9, 1908.

Mr. Spencer:

These few lines to you to inform you that I am in the Tombs prison charged with carrying a piece of iron which they claim is a burglar's tool — a jimmy. Mr. Spencer, I wish you would look into my case for I am not a bad fellow. This is all a frame up to railroad me to State's prison by a policeman who has no use for me. Why I did not report to you two more times I will tell you. I left New York and came back in December when it was too

late to go to you and report. Well, I got a job in a saloon as a bar-tender and led a straight life which I can prove to you if you will call on me in the Tombs. In the meantime, I met a girl and married her and since that very day, so help me God, I did all that was asked of a man to do. I would not like to go up to Sing Sing, because where would my young wife be by the time I came back? Gone, to the dogs and disgraced for life. I would never see her again and what good would I be by that time, whereas, if I went back to Elmira, I would not be a convict when released. I will only be 20 years old the 24th of this month. Mr. Spencer, for my wife's sake, look into my case, for I had no intention of using that piece of iron. Please send me back to Elmira for not reporting. Have a little bit of mercy for me, for I have always tried to be good, especially when I married the girl I love. Please inform me by letter or in person if you will help me, for I am heart broken and worried over what is going to become of me if I shall go away. Do this for me and I will say a prayer for you every night. Yours truly, good by,

“THOMAS K.”

One must be less than human not to be touched by such an appealing letter, yet T. K. knew very well that that “little piece of iron” found in his pocket when arrested on suspicion, was a burglar's jimmy, and was carried by him for no honest carpentry work, and that the law very properly prescribes a severe penalty for having such a tool in one's possession. “I have always tried to be good.” No, Thomas, you did not try to keep your parole like an honest boy. You changed your job, even left the city without permission. You went to work in a saloon as a bartender, all distinctly against the rules you promised to observe, and yet, Thomas, you are young and we think you may still be reformed and we are pleased that the court decided to return you to Elmira after serving six months cracking stones on the Island.

The efficiency of our work depends in no small degree upon the hearty spirit of co-operation with the Detective and Police Departments of the city in ferreting out criminals. My associate, Sergeant Williams, is most alert, energetic, persistent and relentless in his pursuit of the criminal, but although doing the work of two ordinary men, it is impossible for him to cover two fields of

investigation, viz.—the boys on probation by the courts and the men on parole from Elmira and Napanoch as thoroughly as it should be done to procure the best disciplinary results. It ought to be possible to call on every paroled man, at least once a month, to see that he is at work, and if not, to learn the reason why, and also to devote more time to hunting up delinquents and criminals, and moreover, to encourage the good resolutions of the faithful by friendly visiting in their homes. There is right here a vast and almost totally unexplored field for the very best kind of reform work. While it is a part of our function to detect the criminal, we endeavor to make every man feel that we are his friends and are here to help him redeem himself, to gladden the heart of his mother with honest industry and weekly savings and to stimulate in him an ambition to get on and up in the world, to own some time a business and a home of his own. Without the preaching that bores and exhausts, we endeavor now and then, here and there to drop timely words that shall fall like the good seed in the fruitful ground and spring up into useful and beautiful lives when the experiences at Elmira shall be a far away memory. We give below a few sample letters of the faithful ones.

REPORT.

Jan. 15, 1909.

Mr. George Deyo, Assistant Supt.:

DEAR SIR.—I take pleasure in letting you know that I have worked every day during the past month, excepting Saturday when I took a Sabbath. I have earned \$40 and have spent \$12 for board, \$2 for laundry, 90 cents for car fare, \$1.50 for Xmas presents and \$1.60 for incidentals. The remainder — \$22 I have put in the bank which makes me \$120 saved since I came out. Hoping this is satisfactory, I hope that you will grant me my absolute release, since this is my sixth report. I remain,

Yours respectfully,

JOSEPH H.

REPORT.

NEW YORK, *Thursday, Sept. 17, 1908.**Dear Mr. Scott:*

This is my 4th report and I am very glad to say that I am still at work at the same place for Wm. A. I have received another raise on my salary. I am now getting \$10 per week. I am in perfect health and my mother and father are well pleased with the way I am behaving myself. They say that my stay at the Reformatory done me a world of good and I am sure it did. Since I came home, I have saved \$40 and have bought all the clothes I need. I seldom go out unless I go to the theater. evenings I go for a walk till about 10 o'clock; then I go to bed, so there is no doubt that I will do the same after my discharge. I don't look for any companions so I don't think I will get into bad company. I am not much of a letter writer so I hope you will excuse my poor writing. Hoping that you are in good health and just as good a man as you always were, I remain,

Yours truly,

MATTHEW J. B.

REPORT FROM A BOY IN THE COUNTRY ON A FARM.

AURORA, N. Y., *Oct. 12, 1908.**Dear Mr. Scott:*

I herewith submit my third report, hoping it will prove satisfactory. I have worked the whole month and have saved \$10 in the past month. My employer is very pleased with me and so I am with him. He was seriously hurt last week and he is in bed and I have to take care of everything on the farm. We are picking apples and will soon be through with our fall work and he is going to keep me through the winter. Will write again next month.

I remain,

Respectfully yours,

HARRY P.

Mr. Spencer please let me know if you receive this letter.

Supt. Scott:

DEAR SIR.—I have been working every day since I am home except Sundays and two holidays and I am getting on fine. I spend my evenings at home with my wife. I receive the sum of \$11 per

week and give my wife \$10 for our expenses and spend the other dollar in places of amusement and trolley rides on Sunday with my wife. I have bought a suit of clothes since I came out. We are living with my mother-in-law and since I came home have made up my mind to make a man of myself. We are a happy family.

Truly yours,

F. McM.

FROM THE DIARY OF SERGEANT WILLIAMS.

ELMIRA PAROLE DEPARTMENT.

A cry of fire, a pull of the "hook," the gong sounds and in an instant the horses are unfastened; they rush to their places, while the fire laddies, half dressed, drop through the floor, take their places on the engine and hose cart. In the meanwhile the harness has dropped automatically on the horses and with the driver securely seated they are off. Steam is already in the boiler and once outside the fire house the torch is applied to the carefully arranged fuel, and amid a shower of sparks, the shrill whistle and the clang, clang, clang of the bell, the brave fire fighters rush through a maze of trolley cars, vehicles and pedestrians. Everybody moves aside that the engines may have the right of way, for a fire has been started which if not checked speedily will possibly result in death or great destruction of property. The engine rushes on, swiftly followed by the hose cart. They have hardly passed when down the street there is heard the clang, clang, clang, clang of another bell and the hook and ladder truck rushes by, closely followed by the red fire patrol, horses rushing, puffing, nostrils distended, the drivers urging them on, but before they have reached the scene of the fire the engine has arrived, the hose has been laid, the water turned on, and the fire patrol rushes in. The stock is carefully covered with tarpaulins and the fire is out. A man is left in charge to see that the fire does not break out anew and to protect the owner from loss by theft. The apparatus returns to quarters. No lives have been lost, very little property has been damaged, because the alarm was promptly given and responded to. The fire did not amount to much, but will any one question does our Fire Department pay? Of course it pays, even though at times some lives are lost and property destroyed. The general public is protected. Such is the every day work of the Fire Department in our great city. By night we retire feeling safe and secure because of the efficiency of our brave fire fighters.

From another quarter comes an alarm. This time it is not the alarm of fire, but the cry of "Stop thief! Stop thief!" A young

boy rushes by, a crowd closely following at his heels; a policeman joins the chase. The "thief" dashes into a hallway, up the stairs to the roof, wild-eyed and panting like a hunted animal at bay; he is placed under arrest. The work was done as quickly as that of the fire department, but a fire has been started in the being of that young man that is not easily quenched. The officer leads him downstairs panting and trembling as he faces the mob. Some one cries "Lynch him, lynch him; he just snatched a pocket-book from a woman." A pocketbook containing \$25 is found on him. He is a felon, taken to the police station, thence to the Magistrate's Court, remanded to the city prison to await the action of the grand jury; indicted, found guilty and again remanded to the city prison to await sentence. We visit the prison and find a fair haired, blue-eyed German boy of nineteen pouring over a copy of German and English at sight, which he has managed to procure. He has an intelligent face, but cannot speak English. We call an interpreter and he tells his story. We have heard such stories before and they make us laugh; but there is something in the manner of this boy which draws us to him. It is late in the afternoon. We have worked hard all day, our loved ones are at home waiting to welcome us to supper. We leave the jail — it is raining, we hurry toward the cars, no rubbers nor umbrella, and hungry. The boy's story clings to us and we cannot get away from his appeal: "Please investigate; I stole the pocketbook, but I am not a thief. I was driven to desperation by my misfortune."

The cars are reached, we turn not toward home, but board a car going in the opposite direction.

There are an honest old gray-haired father and mother in Germany, and as the evening shades are falling they sit down together and wonder how their boy is getting along in America. The elder son returns from the post with a letter from "Herman." With trembling hands the seal is quickly broken and eagerly they read:

"DEAR PARENTS.— It is with haste that I pen this letter. I am in trouble. I have reached the point of desperation. I regret that I have to ask for money, thereby increasing the burden imposed upon you when I left home, but I must have money quickly. You gave me all that could be spared when I left home and your kind provision would have been ample if misfortune had not

befallen me. Just before our ship reached New York, the steward, who had been very kind to me, said he would exchange my money and thereby save me the exchange fee. He had been so good to me that I trusted him and let him change my money. I told him that I was going to Chicago and he volunteered to see me safely on the train. I accepted his services, and together we went to the railroad station. He purchased my ticket and gave me a one hundred dollar bill and several bills of smaller denomination. He told me not to change the \$100 bill until I reached Chicago, and to be very careful of pickpockets. When I reached my destination, I was told that the \$100 was a Confederate bill and of no value. While on the ship I met a friend of yours who was going to live with an uncle in Brooklyn, and fortunately I took the uncle's address. I did not have money enough to return to New York, and I told a kind-hearted railroad man of my misfortune. He advised that I send my toolbox by express to the Brooklyn address, and he very kindly put me on a freight train and I arrived in New York with less than \$1 in my pocket. I was afraid to go to the Brooklyn address and I asked a boy to take a message in for me, and I received a welcome into the home of ———. He said he knew you and would let me remain until I could write you. He has a very large family and works hard, but he went to the New York Detective Bureau with me the next day and reported the case. The ship had returned to Europe and is now on her way back. The detectives can do nothing until the ship returns. I am without money, anxiously looking for work and hope that I may find a job soon.

“Your loving son;

“HERMAN.”

The old man had just paid several bills and he was as near penniless as Herman. After several days in an effort to collect some money, with tears and trembling hand, the father wrote that he could not send him any money for a couple of weeks, but to be of good cheer and he would pay his board to the kind friend who had taken him into his home. The letter was delayed. The friend who had so kindly aided him said that he must find work or go, as he had then been with him over two weeks, and his family being large, his pay small, he could not afford to keep him longer. The next day in desperation he sought work and failed to find it. Too sensitive to return to the friends who had so kindly cared for him, he resolved to take a chance on the woman's pocketbook. Investigation that rainy night proved his story to be true. Inter-

cession was made, the judge suspended sentence and the boy returned to his aged parents in Germany. The villain who robbed him is playing hide and seek from one steamer and port to another to avoid arrest. Will you not agree with me that a term in jail would have been like adding fresh fuel to the fire that had already been started by a villainous thief? Such is the work the Prison Association is accomplishing daily. Like the fire department, we are prepared to respond to the alarm, and many young men are rescued and saved from a life of crime, thereby protecting the lives and property of the public, and many homes made happy by the return of the stray sheep.

The rounding up of delinquents and making arrests is probably the most interesting yet the most disagreeable work of the Association. It is difficult to make a young man who has started on the downward road believe that the parole agent and detective are his best friends. Very seldom we find a boy who goes wrong while on parole who will admit his guilt. One young man who was sentenced to the reformatory was paroled in due time. He disappeared later and investigation showed that in concert with two others in an attempt to steal fruit from an Italian stand, he assaulted the Italian and his wife, and while attempting to escape fired two shots from a revolver at the policeman, one of which hit him in the shoulder. The boy gave a fictitious name, was sentenced to six months in the penitentiary for carrying a concealed weapon and again sentenced to Elmira for felonious assault under his new name. He was paroled a second time and was caught "jostling" on a crosstown car, and when arrested stated that he was going to work, but could not explain why he was going east when he should have been traveling south in the direction of his work. Investigation showed that he had not worked for a long time and had made false reports. He was returned to the reformatory and complains that he has not been treated fairly. Many times these questions are asked: Does the reformatory reform? Is a boy benefited by having been in the reformatory? I answer them by asking another question: Is a boy benefited by a course in a boarding school? If he goes to school with the intention of learning, he will be benefited. If he goes to do mischief, he will not be helped by his teachers or his books. We try to

teach the boys with whom we come in contact that it is not the object of the law to avenge for a crime committed, but to hold them in restraint for a time in the hope that they may see the folly of a criminal life, and while so held to give them a course in the school of letters, teach them part of a trade, and train them physically. Our city expends millions yearly for the education of children, but it cannot be justly charged that it is the fault of the school or the principals thereof that the children do not reach the top rung on the ladder of education. In the establishment of the reformatory at Elmira the State of New York has made a noble provision for young men who have started on the road of crime, and it cannot be charged that it is the fault of the institution or its head if all the boys do not reach the top rung on the ladder of reformation. The management of such an institution is a stupendous problem. Perhaps some have seen the picture in one of our New York daily papers "There is a reason." Yes, there is a *good* reason why a boy is not reformed after a sojourn of thirteen months in Elmira, when we consider that he has served a term of two years in a protectory and five years and eleven months in Clinton Prison before reaching Elmira. It is not surprising to hear that he has been sentenced to State prison for two years and five months after his release from the reformatory, or that a boy has served three terms in a Massachusetts prison before reaching Elmira, or a young man has served a term in Sing Sing, is then sent to Elmira, is paroled, becomes delinquent and is shot dead in the act of committing a burglary. Boys are sentenced to Elmira after having been in a disciplinary training school, a protectory, the House of Refuge and Hart's Island, and some of them have been in three out of four of the above institutions before sentence to Elmira. Do you wonder that all the boys do not reform? It is not strange that Mr. Spencer has put the percentage of reformation so low. He has not done so because he wishes to, but because our investigations show it. We wish it were 90 or an even 100, but if it dropped below 50 we would be compelled to believe from our experience with the boys that the State of New York can be proud of those who have reformed and that the end has justified the expenditure of every dollar appropriated in this noble work, and better still these dollars are earning interest, not in dollars

and cents, but in lives of industry, thrift and good citizenship. We meet them daily on the delivery wagon, in the shop, on the cars and in various places. One young man — his lesson was a hard one — sentenced to Elmira at the age of eighteen for grand larceny in the second degree; conduct bad, he lost ten months, was then paroled, went back to his old haunts, was returned and paroled the second time. I visited him five times while on parole and always found him on the job. It is some time since the Board granted his absolute release, but he is working hard, and every day the voice of his handiwork is heard throughout our great city.

A few days ago an elderly woman whose husband had deserted her, and whose daughter had been lured away from home and her only boy sentenced to Elmira, said to me: "I thank you for what has been done for my boy in the reformatory." She gave me his card and said: "E—— is a fine young man now. He supports me and keeps me in my old age." A few days later I saw him in his place of business on Fourth avenue, yet it is only a little over three years since he was in Elmira Reformatory.

While writing this article a young man came in and greeted me warmly. I had returned him to Elmira for violation of parole in August, 1907. He was paroled September 20, 1908, worked steadily at a salary of \$12 per week until he received his absolute release, and had banked nearly half his wages. He is now in charge of a growing business in one of the sky-scrapers in this city at \$18 a week with the promise of a raise to \$25 January 1st. As he left me he said: "And the best of it, Mr. Williams, I didn't know a thing about the business when I went to Elmira. I learned it there."

These and many more are the cases with which we have come in contact in the past four years. We help the boys when they want to be helped. If they are hungry, they are fed. If they are naked, we clothe them and when they won't be helped, we do our best to put them where they will be cared for and society protected from their depredations. We leave it to our readers to decide if the probation work of the Prison Association is a benefit to the public at large.

INSPECTION OF SING SING PRISON.

On March 25th your committee consisting of Messrs. Barrows, Chisolm, Sawyer, Shelton, Mr. Schieffelin being unavoidably detained, visited Sing Sing Prison. We were met at the depot by the son of the warden, Mr. Frost, and taken direct to the prison in carriages provided by him. The warden, Mr. Jesse Frost, was awaiting us and showed us every courtesy, placing himself entirely at our disposal during our stay of six hours, entertaining us hospitably at dinner, and personally accompanied us upon our tour of inspection.

After formally stating the object of our visit, at the warden's suggestion we first visited the mess hall, as preparations were then being made for the noon meal. We carefully examined the tables, dishes and utensils. The first, which are of slate and iron, were clean; before each place was a large china bowl containing about one pint of a vegetable soup. It was hot and tasted good and looked appetizing. Upon each bowl was an earthenware plate, which served as a cover to the bowl and kept the soup hot, the steam from which in turn served to warm the plate. The ration for the day was sausage, the equivalent of two sausages, one large or two medium sized baked potatoes on the table beside the plate, also a large mug of coffee and a piece of bread. As some twenty minutes are required to arrange the food, as the prisoners enter the room, hot gravy was poured over the sausage. During the meal bread was passed by the attendants, the prisoners being permitted to help themselves without restriction, but no waste was permitted.

The prisoners are assembled in companies in the different shops where they are employed and march two by two in close formation to the mess hall. It was noticed that aged and infirm prisoners were not required to keep the close formation of the more able.

Both as they entered and emerged from the mess hall a good opportunity was offered to examine the physical condition of the men. Prison pallor was noticeable in all, influenced somewhat by the occupation engaged in, those more closely confined in the knitting and shoe shops showing it more than those in the smithy and

carpenter shops. Suggestively the hope was expressed that more outdoor labor could be provided and the opportunity offered by the New Prison construction utilized in that way. Undoubted benefit to the physical and resulting moral condition of the men would thereby be secured, but as a whole the men seem well nourished, clean, and in good physical condition. A careful examination of the dietary lists was made. It was learned that no rule governing the amount or nature of the food existed, the warden using discretionary powers in the matter, with the aid of the prison physician, should he desire his advice. Under the present ruling a stated sum is placed at the disposal of the prison, from which the warden must meet all expenses of the prison, salaries, fuel, water tax, repairs (unless extraordinary), food, etc. In the case of Sing Sing the sum is \$175,000. Unfortunately, however, this sum is not elastic, but the number of inmates varies. The anomalous condition therefore exists that the warden is limited in the amount he has to maintain the prison but has no voice in the numbers that he may be called upon to provide for. At present there are some 1,380 inmates, exclusive of guards, watchmen, and other employees, a number far in excess of the proper limits of the prison.

As the prison itself has been condemned, your committee do not consider it needful to report upon the structural or sanitary defects. One feature, however, should be condemned as pernicious in the moral and physical influence upon the men. At present there are about 900 cells, each cell being $3\frac{1}{2} \times 7 \times 7$ feet or containing not over 175 cubic feet. With no ventilation save the iron latticed door in front, in some 150 of the cells two men are placed, one cot being over the other, thus giving to each man less than 85 cubic feet of air.

When it is realized that an ordinary man takes in and gives out at each respiration from 400 to 500 c. c. of air, and allowing 18 respirations to the minute it is easy to compute the amount of pure oxygen obtainable. Naturally the State would be averse to adding to the present prison in view of the new structure contemplated. When, however, it is remembered that from four to five years must elapse before Bear Mountain will be available, it would seem that some expenditure would be justifiable to ameliorate the present unsanitary and unfortunate condition. Possibly a recommenda-

tion providing for some temporary cells where aged and trusted prisoners with an exceptionally good record could be placed, would provide the needed temporary relief.

The dietary lists were carefully examined and discussed. The noon meal, being the principal one, was variable, the breakfast and supper being fixed. Breakfast consisted, five days a week, of meat hash, bread, and coffee, about 400 pounds of canned or other beef being used at each breakfast. Two days of the week cereal was substituted for the hash. At first it caused some complaint, but the warden explained to the men that it was experimental, and now it is generally liked. Fish was substituted for meat at the noon meal on Friday. The supper consisted of bread and tea, which the men take to their cells and can eat at more leisure.

The amount of meat allowed for the noon meal was 900 pounds, and upwards, depending somewhat upon the portion used, but added to the 400 pounds used in the morning meal it gives to each man nearly one pound of meat per diem.

The workshops were all visited. The men seem to be contented at their various employments, the amount of work required being based upon a portion each alike, those completing their "stent," as it was called, were noticed sitting by their machines or windows.

Barbers were at work in all departments. Cell utensils were sterilized in hot water between each application. Hair cutting was compulsory once a month, shaving twice a week. The men were carefully scrutinized and no evidence of skin disease or irritation was apparent, the communicability of barbers' itch being such as to indicate that the implements used were cleaned as stated. Each man has his own cup and brush. Boxes filled with sawdust or shavings were provided accessible to every man for expectoration, and but few instances were noticed where such provision was neglected.

Baths are provided by two methods — tubs and showers. The first were used when directed by the physician in charge. Compulsory bathing once a week, more frequent opportunities are provided if requested. Altogether some forty showers were available and six tubs.

The warden stated that criticism had been made of the "in-

humanity" (the term used) of compelling men to bathe in each other's presence without any protection, but upon careful observation he had concluded that the present method was the best. The risk of seclusion affording opportunities for pernicious practices being too great, he advised a continuation of the present method. The kitchen, coppers, cooking utensils, all appeared well ordered and clean. Increased light, air, and ventilation would be a great advantage, but structurally not practicable in this old building.

As bread constitutes so large a portion of the dietary we examined its preparation with care. It is made of fine white flour, thoroughly baked in a massive rotating baker, and was of excellent quality.

We visited and examined the schools and the chapels, of which latter two are provided, one for the Roman Catholic and one for the Protestant prisoners. Attendance at one or the other is compulsory on Sundays. Opportunities for confession and other offices of the church are given if desired.

We visited and inspected the black cells, padded cells, and the hospital, and found them all in good condition suitable to the purposes for which they are used. Special attention was directed to the medical service. The stenographic report accompanying will give the information in the most succinct form and also in regard to punishments.

Your committee were united in their opinion that the general condition of the prison was satisfactory, and that the warden, Mr. Jesse R. Frost, is interested in his work and making every endeavor for the welfare of his charge and the general improvement of the men.

**MINUTE RELATIVE TO SAMUEL JUNE BARROWS,
ADOPTED MAY 20, 1909.**

The Executive Committee of the Prison Association of New York learned with sorrow that on Wednesday, April 21, Samuel June Barrows, the Corresponding Secretary of the Association, had died of pneumonia in the Presbyterian Hospital in the borough of Manhattan of this city. He had been ill only a week and his death was unexpected. In this, their first regular meeting since this sad event, they would pay this personal tribute to his memory and recount a few facts of his life.

He was born in New York city in Columbia street, where the Brooklyn bridge now comes, on Monday, May 26, 1845. His father was English, his mother half Quaker and half Dutch. His father died when he was four years old, and as there were five little children to care for, the boys were sent to work after brief schooling. He entered at nine years of age his cousin Richard Hoe's machine shop at a salary of one dollar a week, out of which he reserved one cent for his private expenditures. The rest he gave to his mother. He studied in the night school founded by Mr. Hoe for his apprentices and remained nine years with him. At ten years of age he was the operator of the telegraph which connected Mr. Hoe's factory with Mr. Moore's. During the latter part of his stay he studied in the night school of the Cooper Union which was incorporated in 1857. He mastered Graham's shorthand and for over a year (1863-4) was a shorthand clerk of Fowler & Wells. In 1864 he volunteered in the navy, but was rejected on the score of health; so to regain his health, he went to the Hydropathic Dansville (N. Y.) Sanitarium, where he paid for his treatment and board by stenographic work for the proprietor, Dr. James Caleb Jackson. On leaving the sanitarium cured, he became a reporter on the *New York World* and rose to be assistant editor. In 1867 he became William Henry Seward's private secretary and was until 1871 in the Government employ, in the Consular Bureau and the Bureau of Rolls. His thoughts now turned to the ministry. He had been brought up a Baptist,

and his wife, whom he married in 1867, had been a Presbyterian missionary in India, but both were now Unitarians and so he entered the Harvard Divinity School in 1871. He varied his theological labors by fighting Indians, for in 1873 he was in the Yellowstone expedition under General Custer, as correspondent of the *New York Tribune*, and took part in the battles of Tongue River and Big Horn, and the next year was again upon the plains.

After graduating from the Divinity School, he studied for a year in the University of Leipzig. In 1876, he became pastor of the First Unitarian Church of Dorchester, Mass., and so continued for four years. He is still remembered with affection in that parish. But he felt it his duty to leave the pastorate and to take up the editing of *The Christian Register* published in Boston, the organ of his denomination, and for sixteen years he held this post and did good service.

While editor he became interested in penology. In 1895 he was Secretary of the United States delegation at the International Prison Congress in Paris. He showed himself from the start eminently fitted for such work, and so was in 1896 appointed by President Cleveland to represent the United States on the International Prison Commission. Under Josiah Quincy, who was Mayor of Boston from 1895 to 1899, he was chairman of the Advisory Board on Penal Institutions. He was also one of the founders of the Massachusetts Association, author of the probation law of the State, and a member of the International Society of Comparative Criminal Law. At his death he was President-elect of the International Prison Congress which will meet in Washington in 1910.

He had an experience of public office, for, owing to political complications, he, a strong Republican, was chosen to represent the Tenth Massachusetts District, a Democratic district, in the fifty-fifth Congress and served his term from 1897 to 1899. But when he sought re-election, things were more normal and he was defeated. President Harrison appointed him Librarian of Congress, but circumstances forced his declination. In 1900 he became Corresponding Secretary of the Prison Association, and so for nine years our affairs have been guided by him. How quickly did the old friends of the Association find out that he

was the right man in the right place! How quickly did he win new friends for the Association! Our finances improved in surprising manner and the community generously replied to his appeal for material help. And no one who read one of his appeals, none who heard him speak on our work, could have questioned his competency. The voice was that of the shepherd and the master, not of the hireling or the novice. He pleaded the cause of the prisoner because he was a lover of man and counted those members of the human family who had broken the social contract as still worthy of human treatment and of every effort to regain them to society, to win them back to the path of duty.

As we came to know him better, our astonishment at the range of his interests and of his information constantly grew. To us at first he was a penologist, the writer and editor of important reports on penological subjects, the fountain of knowledge on prisons and prisoners, their helps and their hindrances, their friends and their foes. We shared his enthusiasm in the good work of prison reform and were glad to co-operate with him. We too wanted to see the fee system abolished in every county of our State, to see all the jails under proper control, and graft in prison a thing of history merely. Then we found that he had interest in the humane side of our work and rejoiced if he could aid by advice and money and other help those depending upon us. As time went on we discovered that he had other interests, that his sympathies took an extraordinary range. We found that there was no cause in which the welfare of man or woman was a factor in which he was not ready to embark. He was a strong advocate of total abstinence, of woman suffrage, of the education of Indians and of the colored people, of international peace and comity. He threw himself into the support of Russian freedom, and would have been just as devoted in freeing any other people. He was, too, a man of remarkable accomplishments. He was acquainted with many languages and literatures and daily drew deep draughts from the springs of Greek thought. He had traveled widely and with open eyes, and had entered into friendship with men of many climes. And with all he was a musician. When he played on the organ or sang in the oratorio, he was carried away and you would have said that music was his only passion. We found that

there were many who knew him in one or two of these interests, but there was probably none who knew him in them all.

And then what a fine man he was! He had charm. He was full of humor, he sparkled with wit. He was quick in his movement and in his speech. He was the embodiment of energy. He overflowed with sympathy and appreciation. His presence was always cheery. There was sunlight where he was; there was more ozone. He was a live man. There was in him a mighty tide of joy and peace because he lived an unselfish life, and only those who live for others get the best out of life. He wielded a trenchant pen, could make an eloquent speech, draft an interesting report. He knew how to use his hands in the making of articles, in fact it seemed as if he could do anything and everything, except that which was base. Sin in all its forms had no attraction for him. In him men saw virtue only.

We thought that there were for us many more years of joint labor under his leadership, and that he would be permitted in the serenity of old age to continue his service as counsellor after his active days were over. But God has willed it otherwise. He has closed the book of his earthly life at what seems to us its most interesting page. He has died in the fulness of his activity and in the maturity of his powers. But his work is done. And it was a great and needed work. We say farewell with tearful voices, farewell till we meet again.

SAMUEL JUNE BARROWS.

A CIRCUIT RIDER IN THE HUMANITIES.

PAUL U. KELLOGG.

THE WIRELESS MESSAGE

Electric pulses through the viewless air
Pitched to some distant tone,
With ardent zeal their voiceless message bear
Through the ethereal zone,
And at some tuned, receptive point remote,
They find their kindred note.

Self poised on high the towers of the soul
Some distant message wait.
Magnetic pulses speed from pole to pole,
Swift to affiliate:
But thou, my soul, to gain this wished-for boon,
Must keep thyself in tune.

Love flashes in the open, shoreless sky,
Pathway of God and man,
The burning question and the swift reply.
Shall I the message scan?
And shall I find as these swift pulses dart
Some message for my heart?

In his verses on Life and Song, Sidney Lanier lamented that the singer had not yet come, who should wholly live his minstrelsy — live it as if life were caught by a clarionet and its heart were utterly bodied forth in the throbbing of the reed. The Oratorio Society and the Prison Association of New York united the evening of May 27 at Mendelssohn Hall in a service commemorative of the life of Samuel June Barrows. The splendid choruses in which he had lifted up his voice for years were interspersed by addresses telling of him as the helper of prisoners, the lover of letters, the lover of justice, the man of peace, the shepherd of souls. These are so many aspects of a life, long and full, which had loosened many of those fetters that bind men to misery (such as crime, bigotry, war and race hatred) and which, in turn, had forged strong, radiant links with music and the other joys of creation. For it was more nearly true of him, than of most men, that "his song was only living aloud; his work, a singing with his hand."

Mr. Barrows died of pneumonia on April 21 at the Presbyterian Hospital, New York. The illness came upon him suddenly in the flood-tide of the year's work; and his very loyalty to the public duties thick upon him, made him loath to be reconciled and to lay them down. "I think it is hard to die like a saint," he said, "I am content to die without a crown, just as a decent man." In that way, also, had he lived, simply, unpretendingly, just as a decent man. Yet the International Prison Congress, when it assembles in Washington in 1910, will meet without its elected president — the first American to be called to the chair of this world's conference. Delegates, speaking various tongues and standing high in the counsels of the great governments, will mourn not only a fellow member but a friend, as intimate and personal to them as to the boys of an East Side night school fifty years ago, who without leave or precedent gave "nine cheers for Barrows" when he left their class. And convicts in the great prisons of Eastern Europe, shuffling negroes in the chain gangs of the South, parolemen granted a new chance in life by Australian law he had influenced, children before the new juvenile courts of France, sick men in the disease-beset cell-blocks of our older penitentiaries, young offenders locked in with the hardened rounders of obscure county jails — all these also lost a friend, as surely as their lot, and that of their kind for generations to come, is bound to be influenced by the things he substantially advanced.

Mr. Barrows's last piece of self-sacrifice was for such a one — in prison — to be visited though it were to the ends of the world. In March, Mrs. Barrows had set out for St. Petersburg, in behalf of Madame Breshkovsky, one of the heroic noblewomen of the Russian revolutionary movement, who, in her seventieth year, lies sick in the fortress of St. Peter and St. Paul. "I should be glad to give my life for Babushka," he said, as his wife started alone on this emergent mission to Russia, "and would count it well spent. I cannot go; I think you should go." The cables carried word of his sickness to Mrs. Barrows, but the fastest steamers were unable to bring the wife back to her own until after his death. We may be sure, however, that there was communion between them — such answering chords of the spirit as found expression in the stanzas on the preceding page which he

had written, half-prophetically it would seem now, when they were last on the ocean together.

Separated at death, in life Mr. and Mrs. Barrows have been so truly at one that a review, however brief, of the work of either must have much of the character of a joint biography. Their collaboration on a volume of reminiscences is one of the plans whose fulfillment his death came to prevent. This sharing of life work together was the more remarkable because of the great variety of experience which he, as few men, got out of his generation. Here was a man who campaigned in the Indian country, and was a peace advocate; who dug up Greek temples and pulled down old jails; who as a linguist mastered the harshest consonants of the nations, and as a sweet singer sang oratorios, and wrote ballads; here was a newspaper correspondent, preacher, editor, stenographer, penologist, parliamentary leader, poet and humanitarian.

Mr. Barrows was born May 26, 1845, on the lower East Side, New York. He was a child when his father died after a protracted sickness. The first years were of utter poverty. His mother made a living for herself and her four children by making shoe-blackening after an old English recipe. At eight years he went to work as an office boy in the printing press works of R. Hoe & Company. He worked ten hours a day; his wages were a dollar a week; Sundays he listened through three heavy sermons; evenings he went to night classes; and one year his employer let his wages go on while the boy attended day school. Colonel Hoe was a friend of Morse, the inventor of the telegraph, and the first private wire in the world was strung to his factory. Twelve-year-old Samuel Barrows operated it. The boy also studied shorthand, and throughout his life was an expert stenographer.* During the war he attempted to enlist in the navy but was thrown out on account of health; and to retrieve the drains in strength

* Mr. and Mrs. Barrows accomplished jointly what had never been done before — the first verbatim report of one of Phillips Brooks's rapid sermons. Mrs. Barrows has translated mentally addresses in German by Carl Schurz and taken them down in English while in process of delivery. For twenty years she was official reporter and editor of the proceedings of the National Conference of Charities and Correction, and has served various international conventions in similar capacity, inscribing her notes in whatever language was spoken. Post cards marked with pot hooks by husband or wife carried more intelligence to the other than long letters between less gifted correspondents.

which overwork since childhood had made upon him, he took a position as secretary with Dr. Jackson of the Dansville Sanitarium. It was there that he met Isabel Hayes Chapin who was equipping herself as a medical missionary to return to India, whither she had gone as a bride of eighteen and where her husband had died. Mr. and Mrs. Barrows were married June 28, 1867. They were twenty-two; they had no money; but they were rich in purpose, and with rare courage and mutual helpfulness set about a larger preparation for the work of life.

While Mrs. Barrows completed her medical studies — those were the days when women students were pelted and ridiculed — Mr. Barrows served as a reporter on the New York Tribune, and for a summer as city editor on the New York World, then a religious daily. In 1868 he was appointed stenographic secretary to William H. Seward, and remained in the Department of State until 1874. At one time he fell ill with typhoid, and Mrs. Barrows took his post, the first woman employed in the department. During this period she completed her medical studies by a year at Vienna, specializing in the eye. Returning to this country she opened an office in Washington, the first oculist at the national capital. She taught also in Howard Medical School.

Mr. Barrows had studied out of hours at Columbian University (exchanging shorthand for Latin and Greek) and was now enabled to complete his own professional education. He entered Harvard Divinity School and graduated in 1874 (B.D.). Those were the years when Agassiz was delivering his famous lectures in natural science at Cambridge, and every Sunday the New York Tribune reported them at a page in length. The work was done by Mr. and Mrs. Barrows, and their reports were made up by Agassiz into a book.

During the summers of 1873 and 1874, the divinity student was with General Custer on the Yellowstone and in the Black Hills as correspondent for the Tribune. His summers were full of adventure: he was the first to report the discovery of gold in the Black Hills, a bullet struck a tree just above his head, and he narrowly escaped an ambush in which his companion was killed. By good fortune he did not set out the next season — that of the massacre — but with Mrs. Barrows spent the year in post-grad-

uate studies at Leipzig. Returning to this country, he was made minister of the first parish, Dorchester, Mass. Four years later he became editor of *The Christian Register*, making that Unitarian journal a national force during the decades of the great church weeklies. In 1897 he was elected to the fifty-fifth Congress, a republican from a heavily democratic district which had been outraged by a corrupt incumbent. His first success was in securing from Congress permission to send ships to India loaded with grain for the famine sufferers; his chief speech was perhaps one in favor of admitting books and works of art free of duty — again that balance which has been pointed out as characteristic of the compelling interests in his life. His congressional career was short — one term — but during that time he was instrumental in associating the American Congress with the parliaments of the world. He was the first American to join the Inter-parliamentary Union, and ten years later was the active member of the committee in charge of the St. Louis meeting which brought here representatives of the legislative assemblies of all civilization.

Mr. Barrows's retirement from Washington marked the maturing of his larger work for prison reform. He had been one of the founders of the Massachusetts Prison Association and had helped develop the probation system in that State. In 1896 he was appointed by President Cleveland commissioner for the United States on the International Prison Commission, serving since then on its executive committee and representing the United States at the quinquennial congresses in Paris, Brussels, and Budapest. At the last congress he was elected president. It was through his efforts that the congress of 1910 is to be held in Washington. Mr. Barrows was instrumental in securing a federal appropriation of \$20,000 for this congress, and the major work of preparation has been done by him. With Mrs. Barrows he had planned a tour this summer of the South American republics to enlist their interest in the Washington gathering.

In 1899 Mr. Barrows was appointed corresponding secretary of the Prison Association of New York, and for ten years his influence for progress and breadth of view in penal legislation has been cumulative in both State and Nation. It has been marked by repeated assaults on the stupid blunder of capital punishment, by his ready recognition of the juvenile court idea, his

energetic attacks upon systems of prison idleness, and his unswerving support of the reformatory movement, probation and parole. These have been linked with a grasp of the technical side of prison construction and management. He was a member of the New York State Probation Commission of 1905-6, and of the present State Commission on New Prisons which is charged with the task of replacing old, disease-ridden Sing Sing with a modern structure. To this end Mr. Barrows visited Great Britain, Sweden, Finland, Russia, Germany, France, Spain and Portugal. Some of the best energies of the last years of his life were devoted, against domineering political opposition, to secure the embodiment in the new institution of some of the standards set by modern European prisons. At the present session of the New York Legislature, in co-operation with the State Prison Commission, his association strongly urged the establishment of three state workhouses and a reformatory for youthful misdemeanants. When taken sick, he was in Albany in support of bills to make the office of sheriff of Queens county, New York, a salaried one, to establish a board of trustees of labor colonies for the detention, reformation and instruction of persons convicted of vagrancy, drunkenness, etc., and to establish the "John Howard Industrial School" for the educational, industrial, and moral instruction of juvenile delinquents. In behalf of the latter measure, in a report drafted for the Prison Association of New York, and released for publication one week before his death,* he made this appeal:

The poor boy in New York is pretty well taken care of and so is the youthful felon. But the youthful misdemeanant has been overlooked.

It is appalling to think that by a process of legal indifference and neglect a boy may be sent for six months or a year to a jail where he comes into the most degraded society, where he is without work and without schooling, except the deplorable schooling in crime furnished by older and hardened offenders. A few figures from the official reports of the State Commission of Prisons show how imperative is the need. The number of boys from sixteen to twenty-one sentenced to jails and penitentiaries for the past year outside of Greater New York was 4,428 and the number of the same age sentenced in New York city was 14,044, a total of

* The three first pages only of the present report were written by Dr. Barrows, just before his death. For the rest of the report, he must not be held responsible.

18,472. In addition more than 10,000 between the ages of twenty-one and thirty, are likewise sentenced to the jails and penitentiaries.

The passage is cited because of its timely bearing, although it is not representative of the lofty utterances which found place in many of Mr. Barrows' speeches and writings, nor of those less frequent instances in which indignation mounted over his persistent kindliness. Then he spoke the wrath that was in him at the continuation of conditions that sicken and besot humanity. His public arraignment was of methods and institutions rather than of men. He was a staunch fighter of the iniquitous fee system, and though he succeeded in having it abolished in many counties in New York State, those who love him best feel that he fell a victim to his warfare in behalf of this cause. His last letter, written from Albany the day he was taken ill, told how men in both parties were leagued against him (for the shrievalty has been one of the prizes in county politics and must be rooted out one county at a time); but said that he was determined to fight till the end to free Queens county, one of the strongholds of the system. Hundreds of impressionable first offenders, who ought to be placed on probation or in the reformatories, are held in the old Long Island jail because of the profit in their keep. There is a solemn indictment in the circumstances of his death, which those who are responsible for blocking the reforms for which he stood, must settle with their consciences as best they may,—those who discounted the disease and criminality bred in such conditions, and saw only an office for the fall elections, and such fees as have made men rich. And there is a challenge in the circumstances of his death to younger men to carry forward the causes that laid such compelling hold upon his last strength.

In his federal capacity, Mr. Barrows did much work with the Department of Justice toward a revision of the penal law of the United States. He was identified with bills before the last Congress, providing for the parole of United States prisoners, for the appointment of probation officers and the suspension of sentence in United States courts, and for a revision of the statutes relating to the commitment of United States prisoners to reformatories of states. He was tremendously interested in the work

of the local commission which reported in January on the jail, workhouse, etc., in the District of Columbia and which recommended the establishment of a model system for the national capital.

Mr. Barrows's services were not restricted to either New York or the Federal government. They were at the call of prison reform in every state. This was illustrated in his long volunteer work as departmental editor on the treatment of the delinquent for *Charities Review*, *Charities* and *The Commons*, and *The Survey*, involving, as it did, a large investment of time and interest. He was repeatedly chairman of committees of the National Prison Association and the National Conference of Charities and Correction. Among recent undertakings, mention should be made of his work on the committee which has aroused local interest throughout the country in the sanitary conditions of jails. He drafted the reformatory law and probation law for the new state of Oklahoma, addressing the Legislature last year in their behalf. Last fall he addressed three state conferences on the Pacific Coast and visited penal institutions from San Diego to Seattle. In January, he made three addresses to help arouse public sentiment in Milwaukee against its house of correction.

Through reports prepared for the International Prison Commission his work as circuit rider in penology finds permanent form and has been circulated in many countries. There have been fifteen of these titles, including reports on the Criminal Insane in the United States and Foreign Countries, the Indeterminate Sentence and Parole Law, the Reformatory System in the United States, Penal Codes of France, Germany, Belgium, and Japan, Modern Prison Systems, New Legislation Concerning Crimes and Misdemeanors, Growth of the Criminal Law, and Children's Courts of the United States. Mr. Barrows made these reports, together with his biennial trips to Europe as American prison commissioner, responsible to the Department of State, a basis for what was in truth a rare diplomatic service — an informal ambassadorship to all nations in the cause of enlightened justice. Take, for instance, two letters received (since his death) in the same day's mail. One from Tasmania, tells how primitive is the prison system there, what great changes will have to be made before it

can truly be reformative. It adds that the system set forth in the New York Association's report sent by Mr. Barrows will largely form the key to the improvements advocated. "You have given me fresh courage in this, my life work, and strength to carry it on," the writer says. "You little know how far into the future your kindness will reach." The second letter is from an official of the Transvaal Prison Department, who had received counsel and copies of reports from Mr. Barrows, and who had given them wider influence by lending the reports in many quarters, "where they would be more eloquent than I," and making them available for the press. The writer says:

It is clear that American methods find greatest favor here and we trust in the future that we shall be able to keep in touch with the United States and learn what is taking place. When I tell you that since my first letter to you, we have a reformatory in full working order and classification in all the large prisons, and that this session of Parliament will see introduced the principles of indeterminate sentence, parole and probation and other improvements in the treatment of juvenile delinquents, you will see that your action in sending me your books was not entirely in vain.

Space forbids excursions into other fields of interest which Mr. Barrows explored with such keen zest throughout his life. His religious experience began with folded arms beneath the teacher's quick rattan in the old Cannon Street Church, as related in his book, "A Baptist Meeting House." Soon after his majority he became a Unitarian, and what a friend has called his "incessant helpfulness" was but a practical living out of the catholicity of his faith. Margaret Deland drew not a little of the material for her novel, "John Ward, Preacher," from his early book, "The Doom of the Majority of Mankind," and a recent anonymous article in *The Independent*, "The Church I Am Looking For," provoked much discussion. The writer had looked for a vineyard to work in; instead they had set him to building fences. He was a strong advocate in the peace movement, a leader in the Mohonk conferences on the Negroes, Indians, and International Arbitration, and in each of these fields took a life-long and active interest. It was Howard University (colored) which granted him a degree of doctor of divinity in 1897. He was a frequent editorial contributor to magazines, notably *The Outlook* and *The Independent*,

his writings showing both a constructive earnestness and an inimitable humor. This last year he prepared a series of articles for *The Outlook* on the temperance movement and became a formidable figure in the new discussion of the liquor question. His readiness to assume emergent tasks in addition to his serene mastery of routine responsibilities was illustrated in the winter of 1907-8, when he acted as executive secretary of the Russian Famine Relief Committee, which collected over \$50,000 in this country.

A hundred stories could be told of the approachableness and ineffable sympathy of the man. "You need not be afraid to disturb me by writing upon this subject," was his answer to a letter from an unknown questioner. "I am always deeply interested in having something done." He taught a new play at jackstones to the newsboys at the corner where he took the car. Later, one of them nudged a playfellow, as Mr. Barrows passed on the street. "There he goes," he overheard, "there's the feller that introduced 'skunks' into Dorchester." But neither his ever-present sympathy nor his patient reluctance to retort in the face of opposition or attack, nor the glamor of philosophy which shone in his face, was cloak for inaction. He was the fastest horseman in his Massachusetts regiment. As a youth, in the days of the draft riots, he stamped out the firebrands which a mob had thrown into a store they were about to loot. As a reporter, he made some of the famous "beats" of his day — one, a great wreck on the Atlantic coast and another, a New Jersey hanging. The execution was delayed until a late hour and, when the correspondents posted to the telegraph office, they found it closed. Barrows connected the wire which had been cut off and sent his message in with his own hands — the only one to reach New York in time for press.

A member of the Handel and Haydn Society, in Boston, he became a member and director of the Oratorio Society in New York. He learned the piano at fifty, and at the time of his death was practicing two hours a day on the organ at St. George's. He composed the words and music of many hymns, the harmony of an organ prelude, the lively music of such fancies as "The Echo Queen" and "The Beacon Street Tramp, a Panethnicphilan-

thropometric Play," which he wrote and took part in with much gaiety. He spoke French, German and Modern Greek, read Dutch and Italian, and was learning Spanish for his South American trip. The address of the American commissioner in Hungarian was a feature of the great Budapest Prison Congress.

It was the life and culture of the Greeks which laid closest hold upon his hours of leisure and which has had artistic sequence in the work of his daughter, Mabel Hay Barrows Mussey, in reviving the Greek drama. Mr. Barrows spent a year in Greece with Dörpfeld, the famous German archæologist, and was with him when he dug up the Homeric city of Troy. He was the author of "The Isles and Shrines of Greece." Homer was his heart's love, and at his summer home on Lake Memphremagog in lower Quebec, the first two hours after sunrise were given over to reading the new meaning of a student of peoples into the ancient lines. It was there in this camp started by the Shaybacks, as the Barrows had called themselves when they first explored the region thirty-three years before, at Cedar Lodge, and Cabin June, and Birchbay, that the marvellous family life of this American household found its amplest expression. Hoe, Seward, Agassiz, Phillips, Brooks, Dörpfeld, Custer — those were various men to mark a man's life intimately, and they but stand for a hundred other men of world-fame who counted him as their friend; but here about their open fires — and this is of greater meaning — "Uncle June" and "Aunt Isabel" have been in a very real sense foster parents to a company of children of the world, knowing no race, or creed, or color as not of kin. Here was an every-day embodiment of that universal sympathy, gentle, resistless, which marked his play, and work, and preaching — which made fraternalism the great tenet of his democracy and made the uncrowned decent living of this man at once a harmony and a social force. Here was a man who fraternized in a full-blooded sense with the ancient Greeks, with the famine-lean peasants of the Volga provinces, with the prisoner of the meanest jail, with the masters of music and art and government, with the God of the mountain peaks of his northern lake — "Nor time nor space nor deep nor high" could keep his own away from him.

IS CRIME INCREASING?

BY EUGENE SMITH.

The belief prevails, almost universally, that crime in the United States is increasing — increasing far more rapidly than the growth of the population. This belief finds constant expression in books, in reports of benevolent societies, in periodical literature, in the issues of the newspaper press; we are continually listening to proclamations of it from the pulpit, from the platform, from legislative assemblies and in daily conversation. Nearly every appeal in behalf of any moral or social reform is fortified by the statement that crime is increasing; and this statement goes unchallenged, whatever exception may be taken to other arguments urged.

These allegations about the increase of crime are often made in a somewhat perfunctory manner, as if the fact were merely an unfortunate incident of modern life, and without any proper conception of its appalling significance. Crime is the one fatal malady which has destroyed all the nations and the civilizations that have become extinct in the history of the world. If crime is really increasing, no other possible symptom in our national life can be so alarming; it means that the process of national disintegration is progressing; a process which, unless arrested, must inevitably end in death.

If, on the other hand, crime is not really increasing, then the popular prevalence of belief to the contrary is productive of incalculable harm. The immense expenditures of energy and of money in philanthropic and charitable and religious enterprises seems, under this false belief, to be fruitless. Prison reform and all measures for the reclamation of criminals are discredited as chimeras. Effort to make the world better is enervated or paralyzed, and a spirit of despairing pessimism makes the contest against crime appear a hopeless one.

It is, therefore, difficult to propound a topic bearing a deeper and more practical importance than the question — Is Crime Increasing?

In most of the utterances on this subject, the increase of crime is assumed to be a fact so universally admitted as to render it superfluous to adduce any evidence in its support. But whenever the attempt is made to fortify the statement by proof, appeal is always had to the statistics of crime. Even then, it is generally deemed sufficient to allege that "statistics show that crime is increasing," without entering upon any particular analysis of them. Indeed, it is quite obvious that if the increase of crime is to be proved, statistics are the only source from which positive and conclusive evidence can be sought. If the statistics fail to furnish such evidence, then the question whether crime is or is not increasing becomes an open one — a question to be decided upon probable evidence, by the weighing of countless facts and tendencies and inferences pointing, some to one conclusion and some to the opposite conclusion. It becomes the first duty, then, to inquire whether the statistics of crime yield any answer to the question and, if so, what answer.

All official statistics of crime are necessarily confined to those cases that come before the courts. They are of three classes, relating to arrests, convictions and imprisonments. They aim to give the number and classifications of the following persons: (1) those arrested, and the offenses of which they are accused, (2) those convicted or acquitted, and of what offense, and (3) those imprisoned, for what crime and for what term.

First, as to arrests, it has been claimed that a knowledge of the total number of arrests made would furnish some criterion of the volume of crime; for every arrest, it has been asserted, represents a crime; known to have been committed, whether the person arrested is the one guilty of it or not. This position, however, is entirely erroneous. When the commission of a crime is brought to the knowledge of the public authorities, no arrest whatever is made in some cases, either because the guilty person has escaped and cannot be caught, or because there is no ground of suspicion against any particular person sufficiently well grounded to warrant his arrest. In most cases, however, several arrests are made, of persons suspected of having committed the crime or of being confederates or of having guilty knowledge regarding it. Further investigation and changed detective theo-

ries may lead to a new set of arrests, and so it may happen that five, ten, or twenty persons may undergo arrest for a single known crime, and yet none of them be proved guilty. Many arrests are made of suspicious characters who are detained without reference to any particular crime known to have been committed. All these circumstances result in the fact, shown by such local statistics as have been published, that one person out of every three or four arrested is actually convicted. Add to this fact the consideration that many crimes are not brought to the attention of the public authorities at all, and it becomes apparent that the number of arrests made not only forms no measure of the volume of crime, but really throws absolutely no light whatever on the question.

Secondly, statistics of the number of persons actually convicted of crime would have a greater significance. But we possess no general statistics relating to convictions, as we have none regarding arrests. A few of the larger cities publish such statistics, which have, of course, an importance which is purely local and limited. No statistics exist from which any knowledge can be gained of the number of persons convicted of crime throughout the United States within any year, with a single exception. The last United States census gives, for the first time, the number of convictions during one year (1904); but this throws no light on the question, as there is no similar census for any other year with which to compare that of 1904.

The only general statistics relating to crime in this country are those contained in the United States Census; and these (with the exception stated above) give simply the number and classification of prisoners under confinement on a certain day, comprising, however, persons awaiting trial and those detained as witnesses who are not of course then convicted of crime; such unconvicted prisoners constitute about one-eighth of the total number.

If we possessed complete statistics showing the number of persons actually convicted and sentenced for crime from year to year, it would be possible to gain knowledge whether the number of such convictions was increasing or diminishing. But the statistics of the United States afford no convincing evidence upon this question. The population of a prison is constantly varying;

it depends not so much on the number of annual convictions as upon the duration of the sentences. These sentences vary in length from a few days to twenty years and upward; a very considerable number of them are sentences for life. It follows that a large fraction of the prison population is composed of inmates who are old residents representing convictions had many years ago. On the other hand, the short term prisoners are constantly coming and going, in irregular numbers. The difference in the length of the sentences is infinitely variable and, with the expiration of each sentence, the population of the prison is reduced, while it is increased by each new commitment. It may occur that an unusual number of sentences, though pronounced years apart in the past, happening to concur in expiring the same month, largely reduce the population on the last day of that month. By a like contingency, few sentences may happen to expire in a given month, while the number of new commitments may prove unusually large, thus swelling the population at the end of such month. From these causes, the population of a prison is continually and largely shifting in size from month to month and even day to day. If we knew the average daily population throughout the year, we might fairly compare one year with another. But the comparison of one day, arbitrarily taken, with another day ten years later can yield no result of much value for any purpose.

The number of convictions may be the same for several successive years, and yet the prison population may either increase or decrease during those years. If the new convictions are for short terms, they may be more than counter-balanced by the expiration of old sentences and the prison population will diminish; if the new convictions are for long terms, the prison population will increase from year to year. To illustrate by a concrete example; take a prison which receives all the felon convicts from a given district and suppose that 100 persons are convicted every year within that district of felonies the punishment for which is imprisonment for not less than one year nor more than five years; also suppose that the judges, being of lenient temper, sentence all the 100 convicts to one year's imprisonment. The population of the prison at the end of the first year will be 100; at the end of

the second year, all of the 100 who were sentenced the first year will have been discharged, and the prison will still contain the 100 prisoners who were sentenced during the second year; and so on, at the end of every successive year, the number and term of conviction being constant, the prison population remains constant, numbering exactly 100. There is neither increase nor decrease. Suppose now, that the term of the sentences is increased from one year to the full term of five years, whether because of judges of sterner temperament or because the crimes are attended by circumstances demanding a severer punishment, and observe the result. At the end of the first year, the prison will contain 100 prisoners; at the end of the second year it will contain the same 100 prisoners convicted during the first year and also 100 more convicted during the second year, making the total population 200. At the end of the third year, it will contain the 200 prisoners convicted during the first and second years and 100 additional prisoners convicted during the third year. Thus for five successive years the prison population would increase every year 100 per cent. on the population of the first year; and yet during all that time the number of yearly convictions had remained constant without either increase or diminution. Of course this hypothetical case could never occur exactly as supposed, but it may serve to illustrate the operation of causes that constantly exist and which render it impossible to draw any conclusive inference from an increase of prison population that there is any corresponding increase in the number of convictions.

Unfortunately for the present inquiry, the census of prisoners taken in 1904 (being the one next following that of 1890), by a different classification, excludes certain groups of prisoners which were included in the previous census of 1890 and 1880. For that reason, it is impossible by comparison of the figures of 1904 with those of 1890 to determine with accuracy whether the percentage of prisoners in the total population was greater in 1904 than it was in 1890. The Census Bureau, by an approximate estimate, concludes that this percentage was probably slightly smaller in 1904 than in 1890. The only exact comparison possible is between the census of 1880 and 1890, both of which were taken under the same classification of prisons and of prisoners.

Let us then compare the census of 1890 with that of 1880. The result may be stated in a word; the census of 1890 shows that there were 146 more prisoners for every million of the total population of the country than there were ten years before; that is, the increase in the number of prisoners was less than fifteen thousandths ($15/1000$) of one per cent. of the population. In a chemical analysis, this fraction might well be called a "trace." But it constitutes the only statistical foundation for the popular outcry that crime is increasing. This slight variation between the one census and the other may well be accounted for by those considerations already advanced showing that an increase in prison populations may be owing to other causes than an increase in the number of convictions. The one fact does not necessarily involve the other.

Waiving these considerations, however, and granting the utmost force to the increase shown by the census, what is the extreme conclusion that can be drawn from it? Manifestly this — that for every million of the population 146 more persons stood convicted of crime in 1890 than in 1880 — that ten years showed this increase in the number of convictions for crime. But such a conclusion falls very far short of yielding an answer to the inquiry with which we are engaged. Our inquiry is not whether the number of convictions for crime is increasing but whether the number of criminals and of crimes committed is increasing.

It is necessary to repeat that all official statistics relate to those cases of crime that are detected and acted upon by the public authorities. These cases, when compared with the crimes that go undetected and unpunished, constitute but a fraction, and doubtless a very minor fraction, of the total volume of crime.

There is in the country a large body of habitual criminals, out of prison and at large, who are leading a life of crime; this means that they are continually committing crimes, as a business and means of livelihood. How numerous this class is, there is of course no means of accurately determining. Estimates made by students of the subject vary considerably. Mr. Henry M. Boies, author of the "Science of Penology," estimates that there are ten times as many criminals at large as there are confined

under sentence; five times, is the lowest estimate that has come under my notice. It is reasonably certain that the total number of criminals in the country is larger, several times over, than those actually confined under sentence at any one time.

It is obvious that the novices in crime are more likely to be detected and caught than the older and more experienced offenders. Success in a criminal career depends absolutely on the secrecy with which each crime is committed and the skill with which every clue that may lead to detection is effaced. It is often the case that a wary and astute criminal may carry on his depredations upon the public for a long series of years, committing hundreds of crimes, before Nemesis overtakes him. There are doubtless unnumbered instances where crime is habitually practiced during a lifetime and never detected and punished. The conditions of modern life and the congestion of populations favor concealment. A man can commit a burglary in New York, take rapid flight and within twenty-four hours be buried in the slums of Chicago, 1000 miles away; or, by turning a corner, he may plunge into the tide of people moving up and down a crowded thoroughfare, like Broadway, and become as effectually hidden from a pursuer as if he were in the heart of the north woods.

Besides the numerous cases of crime the perpetrators of which are never discovered, there are many crimes that are never disclosed or brought to the attention of the public authorities. The victims, actuated by various motives, choose to suffer their wrongs in silence. They may fear that their commercial credit will be impaired if it is known that they have sustained loss by robbery; they may shrink from the publicity of appearing as prosecutors, or they may distrust the police or fear the vengeance of the offender or of his accomplices; they may lack the public spirit to press a prosecution which can bring no visible reward to themselves or they may be restrained by feelings of pity or sympathy for the offender because he is a relative or because he is repentant or because he has an innocent family dependent upon him. Then there are the many cases where miscarriage of justice occurs through defective evidence or perjured testimony or technical flaws of criminal procedure.

Considerations like these, which might be largely amplified, tend to the conclusion that possibly not one crime in a hundred results in the conviction and imprisonment of the wrongdoer. The great mass of crime that burdens the people is committed by criminals who go unpunished and cut no figure in any official statistics of crime. It is utterly futile to search the census enumeration of prisoners for any criterion, or even for any light, to aid in estimating either the volume of crime or the number of criminals.

The census statistics of crime are valuable for one purpose; they afford some measure of the efficiency of the government in the repression of crime. They show the number of persons who are, for the time being, segregated from the body of active criminals and rendered harmless to the public. The criminal class is divided into two sections; Section A, those who are in prison — Section B, those who are out of prison. These sections are in inverse ratio to each other. If one section is increased, the other is by so much diminished. Is it not evident that every criminal at large who is caught and imprisoned not only increases the number of prisoners but decreases the number of criminals at large? The true aim of our whole system of criminal law is to gather into the prisons all who commit crime, leaving at large no criminals at all; to make Section A absorb the whole of Section B. If this legitimate aim should ever be fulfilled, then and then only would the census returns register the number of criminals and afford a measure of the increase or decrease of crime.

But, as the facts now are, the census returns indicate only how far this aim has been accomplished and to what extent the process of absorption of the criminal class into the prisons has been carried. An increased prison population may be owing to increased energy and efficiency in the enforcement of the criminal law and, instead of furnishing ground of apprehension and alarm, give evidence of advance made in the repression of crime.

The fact that there are more criminals out of prison than in prison has not been overlooked by the statisticians. One of the ablest of these, Mr. Roland P. Falkner, in a very exhaustive and conclusive article, published in the *Annals of the American*

Academy of Political and Social Science, has demonstrated that the returns of the United States Census furnish no grounds for deciding the question whether or not crime is increasing. He is of the opinion, however, that certain changes in the method of taking the census of prisoners might result in throwing some light upon it, but only with the aid of a certain assumption regarding the criminals out of prison. He says: "It may be assumed that the number of cases (of crime) undiscovered and unpunished maintains a more or less consistent relation to the total number of offenses against the law. Unless this assumption, which is akin to many which must be made in statistical science, be accepted, the possibility of crime statistics vanishes."

The assumption demanded by Mr. Falkner is that an increase in the number of convictions and imprisonments must be taken to imply a corresponding increase in the number of undetected and unpunished crimes; that is, as the number of criminals in prison increases, there is an increase in like ratio of the number of criminals at large. This assumption is at the most only a presumption and by no means a conclusive presumption. An increase of prison population may arise from many causes other than an increase of crime; it often results from changes in the law*; it is sure to follow a more thorough or a rigorous enforce-

*A signal example of misleading variations in criminal statistics is afforded by the history of legislation regarding drunkenness in the State of Massachusetts. By a law of that State passed many years ago, intoxication in a public place constituted the crime of drunkenness, and statistics were published annually showing the number of arrests and convictions for that crime. In 1890 the number of such convictions was 25,582; in 1892 the number had fallen off to 8,634. Statistically, here was a vast apparent reduction of crime—sixty-six per cent. in two years. It appears, however, that in 1891 a statute was passed which made the punishment for drunkenness (which had formerly been a petty fine) imprisonment for a term not exceeding one year, and conferred powers upon police captains to discharge persons so arrested without bringing them into court; practically, only those who were arrested for the third time within the year preceding the arrest were brought before the courts. The act of 1891 was quickly followed in other statutes which effected substantially a return to the old system; fines were restored and the powers of the police to discharge were abrogated. And, as a natural result, the number of annual convictions for drunkenness rose in four years to 19,428 and the number of arrests from 56,512 in 1891 to 104,871 in 1896. These striking statistical fluctuations yielded absolutely no proof of either the decrease or the increase of crime or even of drunkenness; they simply registered the effect of changes in legislation.

So, in the State of New York, the substitution of salaries, in lieu of fees in criminal cases, for the sheriff has reduced prison population from ten to fifty per cent. (Annual Report of Prison Association of N. Y. for 1903.)

ment of the law. The assumption that an increase in the number of convictions indicates an increased volume of crime, if it has any basis at all in fact, must be received with the utmost caution and reserve.

When the annual capture of seals off the northwestern coast of the continent amounted to hundreds of thousands, was the position ever taken that the large increase in the yearly catch indicated a corresponding increase in the herds, because there was a fixed ratio between the number of seals killed and the number left? On the contrary, all the world knew that the seals were being exterminated. A few years ago, by like indiscriminate slaughter, the stock of deer in the Adirondacks was threatened with extinction. To avert such a catastrophe, new game-laws were enacted and rigidly enforced, with the result that the killing of deer has been very greatly restricted. If we are bound to assume that the number of deer taken maintains a more or less consistent relation to the total number of deer, it would follow that the stock of deer was increasing and multiplying during all the period of unrestrained killing and that it is now slowly dwindling away. The absurdity of the assumption appears in the fact known to every resident and visitor in the Adirondacks, that the deer have so increased in number within the past few years that the farmers are beginning to find them almost a nuisance on their farm lands. What is true of seals and of deer is not less true of criminals; the more caught the fewer remain uncaught.

If the considerations thus far advanced are sound, they involve some important conclusions. No criminal statistics yield, or can be made to yield, any answer to the question whether crime is increasing or decreasing. They must relate only to known and punished crime, and cannot throw any certain light upon the vast volume of crime which ever remains unknown and unpunished. It must not be forgotten, moreover, that the judicial prosecution of crime is only one of the agencies laboring for the reduction of crime. There are many influences, social, philanthropic, educational, religious, that are warring against crime with far greater potency than the law can wield. It may happen, through the action of such influences, controlling the social environment, that the volume of crime may be diminishing without any evidence of the fact appearing in criminal statistics.

The answer to the question whether crime is increasing or decreasing can never be based on mathematical or demonstrative evidence. The problem involves too many unknown and secret elements and admits of only a *probable* solution. In nearly all important sociological questions?—Is drunkenness increasing? Is integrity in fiduciary relations declining? Does education diminish vice?—there are numerous known facts and instances from which deductions can be drawn, some tending toward an affirmative and some toward a negative answer; but when these deductions have been compared and measured, and generalizations have been formed to cover unknown facts and instances, the final answer is all that human knowledge can attain to, and the most that can be claimed for it is that it is probably true. The inquiry regarding crime in which we are now engaged is pre-eminently one of this kind, admitting of no dogmatic answer but demanding the careful weighing of evidences in the hope of arriving at probable truth. Indeed, there enter into the question so many uncertain and unknown factors that the answer is likely to be influenced by a subjective bias, owing to the personal temperament of the inquirer. The pessimist, who scents decay and coming disaster in nearly all the manifestations of life, may perhaps convince himself that the nature of man is such that crime must necessarily spread until it becomes universal. A person of sanguine temper, viewing the signs of the times with hopeful spirit, may well find grounds of confident belief that crime is declining and not growing.

The changed conditions of modern life lend a deceptive color in many ways to the popular belief that crime is increasing. The congestion of population in cities restricts the freedom of the individual. Personal desires and habits and tastes that have free range in the open country have to be curbed by law in the city lest they infringe upon the comfort and the rights of the public. Then the rapid progress in invention and in the arts, producing changes in the methods of locomotion, in the character of buildings, in the habits of life, all compressing the inhabitants of cities into closer contact—the numerous adaptations of electricity in trolley cars, electric lights, the telegraph, the telephone—all these changes demand legal safeguards against possible abuse. Thus it is that

within the past twenty years there has been a vast growth in the criminal law by the enactment of city ordinances and state and federal statutes greatly enlarging the number of acts prohibited by law. Most of these prohibited acts are misdemeanors, the commission of which proceeds from careless disregard of the rights of others, from greed or passion or ill-temper, rather than from a really criminal purpose. But misdemeanors are legally classed as crimes, and these misdemeanants swell the number of nominal criminals.

The newspaper is the most powerful influence in fostering the prevalent belief in the increase of crime. It is within the past twenty years that crime has come to be treated as a leading staple of news. As the extension of telegraph and telephone lines has brought all parts of the continent into close and instantaneous communication, the vendors of news have eagerly gathered from every quarter detailed accounts of crimes committed. These accounts, chronicled in the daily newspaper and embracing, as they do, reports from the whole country, present a most formidable and impressive aggregate. Some newspapers, of the lowest type, but of the widest circulation among the masses, give such prominence and embellishment to their criminal reports that an indiscriminating reader might be led to infer that crime is the leading interest and industry of the country. But all, even the most reputable, newspapers devote a very considerable portion of their space to the reports of crime. It may be urged in defense of such publication that it is better that crime should be publicly exposed than that it should be covered up and hidden; that the publication militates against the commission of crime by making concealment more difficult and so has a deterrent influence; and that newspaper enterprise aids the public authorities in detecting crime and in procuring evidence to secure convictions.

On the other hand it must be admitted that there are bad results flowing from these publications. They exert an inciting and instructive, rather than a deterrent effect on the criminal class and are doubtless influential in producing what are known as occasional "epidemics" of some particular form of crime. Publication of minute details, accompanying the commission of a crime, acts by way of criminal suggestion and tends largely to instigate

further crimes. The profuse chronicling of crime also conveys to the public mind a familiarity with crime and an exaggerated idea of its prevalence which are distinctly demoralizing as well as misleading.

The public is apt to forget that the mass of the people are leading, sober, honest and industrious lives, and that crime is always an exceptional and morbid act; that for every defalcation, heralded with flaming headlines, there are thousands upon thousands of trusts honestly and conscientiously administered; that for every house plundered by burglars there are myriads of homes where life and property are secure and where no invader has ever entered; that for every dollar lost by forgery, there are untold millions of commercial paper passing every day through the regular channels of trade.

To properly estimate human progress, the comparison of two successive decades or two successive generations gives too close a perspective. Turn back to the beginning of the present era when our ancestors were in the primitive state of barbarism. Then human life was valued lightly, property was insecure, cruelty and unbridled passion and the strong arm dominated the race and crime was well nigh universal. Among us, the descendants of this lawless race, crime has been reduced until it is reasonably certain that our criminals, giving the term its most comprehensive meaning, now constitute a fraction of less than one per cent. of the population. Few traces of our descent are recognizable. Our land is dotted all over with hospitals and dispensaries, asylums and homes, schools and churches; there are countless philanthropic and benevolent agencies ever ready to extend a helping hand to the weak and tempted and to lift up the fallen. No man can now assert that necessity drives him to crime as his only resource. Our whole social environment and public opinion have ostracised vice and crime and driven them to cover where they can be practiced only by stealth. Never before in the history of the world have life and property and all legal rights been more securely protected against lawless invasion.

It is not difficult to trace the source of this vast and beneficent development. It is the leaven of Christianity that has pervaded and vitalized all this moral evolution. The teachings of the

gospel have moulded that healthy public opinion which believes in righteousness, which condemns vice and every immorality, which is the sheet-anchor of the law. The spirit of the age, charged with ideas and sentiments that Christianity originated, unconsciously shapes the thought and inspires the conduct of many humanitarians and philanthropists who hold themselves aloof from Christianity and even reject its doctrines. If the claim here made, that the Christian religion is the source and the support of our system of law and order, seem exaggerated, in what non-Christian country, I ask, are life and property secure and individual rights protected as they are among Christian nations of the world?

In the last analysis, the question of the increase of crime is a question of the supremacy of Christianity. If the Christian religion decline and its force weaken, crime will inevitably increase; if the principles and the spirit of Christianity gain added power in the life of the nation, crime will as surely decrease.

A Christian faith which looks forward with confidence to the ultimate triumph of Christianity can hardly fail to expect a progressive decline of crime and in the far future its final extinction.

THE AFTER CARE OF INMATES OF PRISONS AND
REFORMATORIES.

By HENRY ELSWORTH GREGORY.

[Read at the National Conference of Charities and Correction,
at Richmond, Virginia, May 12, 1908.]

THE AFTER CARE OF INMATES OF PRISONS AND REFORMATORIES.

Organized society has been slower than it should have been to interest itself in discharged prisoners. Content with prescribing penalties for the violation of its criminal laws, it, in effect, has said: Remove the man who steals the property or attacks the person of another, from the sphere of free activity; sequester him in a gloomy granite structure for a term of years. But with the treatment of those thus separated and restrained it has concerned itself but little, to its own cost and detriment.

You may remove your offender and incarcerate him for a season; but if he emerges and is readmitted to society, with his evil nature unimproved, nay, hardened, embittered, exasperated, better acquainted with criminal devices and methods, his mind more than ever occupied with anti-social and malevolent thoughts and he himself, from association with other offenders, become an adept in cunning and crafty criminality, with a desperate determination to avenge his ill-treatment upon society — if he returns in this condition, society has wronged him and punished itself.

THEORY OF PUNISHMENT.

Upon the theory of retributive justice that punishment should be inflicted mainly as a penalty, or by way of expiation, the treatment of convicts in prison may be harsh, unintelligent, even brutal, without exciting serious opposition or protest. But if imprisonment be regarded as punishment inflicted primarily for the protection of society, the prevention of crime, and the reformation of the criminal, then the treatment of prisoners should be very different; it should be humane, educational, scientific.*

While the theory that retaliation or expiation should be regarded as the purpose of the State in the imprisonment of criminals is no longer accepted by most penologists, one of the objects of punishment, according to Mr. Justice Holmes, of the Supreme Court of the United States, is "to gratify the desire for vengeance. The prisoner pays with his body."

* "A system which allows the return of a criminal to the community unchanged in purpose, does much less than should be done for the protection of society."—W. F. Spalding on the Indeterminate Sentence.

"The statement may be made stronger still, and it may be said, not only that the law does, but that it ought to, make the gratification of revenge an object. This is the opinion, at any rate, of two authorities so great and so opposed in their views as Bishop Butler and Jeremy Bentham. Sir James Stephen says: 'The criminal law stands to the passion of revenge in much the same relation as marriage to the sexual appetite.'"^{*}

The famous passage from Plato on this subject may not be inappropriate here: "For if you will think, Socrates, of the effect which punishment has on evil doers, you will see at once that in the opinion of mankind virtue may be acquired; for no one punishes the evil doer under the notion, or for the reason, that he has done wrong — only the unreasonable fury of a beast acts in that way. But he who desires to inflict rational punishment does not retaliate for a past wrong, for that which is done cannot be undone; but he has regard to the future and is desirous that the man who is punished and he who sees him punished may be deterred from doing wrong again. And he implies that virtue is capable of being taught as he undoubtedly punishes for the sake of prevention."[†]

THE CRIMINAL LAW.

Complaint is sometimes heard that the penal codes prescribe the punishments for offenses without consideration of the offender, his personality, his record and family history, his psychological development, or lack of development; and it is maintained that "there exist numerous transitions and gradations between a sound and unsound mental state, between entire responsibility, as we measure it, and irresponsibility, * * * that the provisions of penal codes actually in force are insufficient as to the matter of responsibility," and that limited responsibility should be recognized in the codes.[‡] This rigidity is characteristic of the criminal law and generally of all statute law. The criminal law pronounces the condemnation of society upon certain specified acts. It does not and cannot concern itself with the nature of the individual offender. "Public policy sacrifices the individual to the public good." It is possible that in the future a wider discretion may be granted to judges

^{*} O. W. Holmes, Lectures on the Common Law.

[†] The Protagoras, 324, Jowett's Translation.

[‡] Report of the Seventh International Prison Congress, p. 83.

and magistrates, and persons accused or convicted of crime be regarded simply as victims of disease, and that, before passing sentence, judges will require examination of the accused by experts in order intelligently to determine the degree of their guilt, or whether they are not in fact innocent.

As supplementary or remedial legislation, penologists are pretty generally agreed in recommending an extension of the probation system for youthful offenders, with a sufficient number of properly qualified probation officers; the wider application of the principle of the so-called indeterminate sentence, and a larger recognition of the advantages and compulsory operation of conditional liberation and the parole system.

It is hardly necessary to say that a lachrymose sentimentalism, an unhealthy pseudo-sympathy for criminals, is at all times to be avoided. Not severity, not sentimentalism for the prisoner, said a well-known authority, but science.

THE CRIMINAL CLASS.

It is a commonplace to say that, to intemperate and otherwise unfit parents and to a mammonized society lamentably ignorant or wilfully negligent of its responsibilities, is largely due the existence of the so-called criminal class.

"Whether particular crime is prompted by hereditary influences, social environment, or sudden impulse, we can scarcely conceive a case in which the individual alone is responsible."*

There are criminals on the social eminences as well as in the social depths. Those at the top manage to evade the penalties of the criminal law and stay outside of prison. As long as the attainment of wealth, success, and power for selfish purposes shall be the supreme motive in life, so long will society present the shocking contrasts that exist to-day, and criminals appear in high places as well as in low.

Many a respectable citizen who would refuse, under any circumstances, to enter burglariously his neighbor's house, or forge a check, or pick a pocket, would, perhaps without qualms of conscience, take advantage of his neighbor in some questionable business transaction, or be a party to the improper manipulation of

* Rev. F. Emory Lyon: "True Charity for the Prisoner."

corporate funds or stock, of great pecuniary profit to himself and of a great pecuniary loss to innocent and ignorant stockholders or creditors.

There is perhaps no railroad president or official in this country who would deliberately murder a man; but there may be some who, by wilfully neglecting, from motives of false economy, to provide proper appliances, sound bridges, safe roadbed, satisfactory signals, or by overworking employees, are responsible for serious and preventable accidents attended with great loss of life.

PRISON TREATMENT.

The problem of the treatment of discharged prisoners is closely related to and dependent upon the treatment of convicts in prison. As long as prisons are what they are (many of them) the difficulty of intelligently caring for and rehabilitating discharged prisoners will remain. If the prisons were what they should be, the solution of the problem would be simpler.

Upon the testimony of those who know, it seems to be an undisputed fact that a large percentage of offenders sentenced for a definite term of years to a prison of the old abhorrent sort, upon regaining freedom, are worse than they were upon entering, and more than ever likely to return to a criminal career. The influences and experiences of prison life in many cases tend to breed and to make criminals. First offenders, for example, condemned to consort with habitual or professional criminals (and this is true in detention prisons and county jails) become acquainted with phases and regions of criminality hitherto unsuspected. Crime, from the narrations of experts, becomes invested with a sort of glamour or fascination, that often overcomes the repentant first offender, and enlists him as a recruit for life in the great army of criminals.

An ex-prisoner told the writer that the corruptibility, the petty fraudulencies and "grafting" of prison guards and keepers tended to make prisoners regard honesty as the worst policy.

Here reference may be made to the importance of adequate training for guards, keepers, and other prison officers; and the rejection of political influence, favoritism and other unworthy considerations in the appointment of these functionaries, and the insistence upon fitness as primarily and indispensably necessary.

INDUSTRIAL TRAINING.

One difficulty in dealing with ex-prisoners is of course their inability or unwillingness to work steadily. "Many ex-prisoners are unable to work because they have never been accustomed to a life of steady and continuous occupation."*

If, therefore, during his term in prison or reformatory, the convict has been trained to industry, and the discipline of prison life following his previous irregular and idle existence, has accustomed him to regular labor, and so developed in him the capacity for exertion and the desire to energize, the problem for the Discharged Prisoners' Aid Society becomes less difficult.

Unfortunately prisons do not always provide satisfactory opportunities for this sort of improvement. For one reason or another, prisoners are allowed to spend too much time in idleness. The work of the shops demands not enough of their time. Little systematic industrial training is furnished. Drudgery there is, of course — the necessary and unavoidable daily drudgery — but this is not the sort of labor that the prisoner primarily requires.

The long hours passed in the cells tend to confirm idle habits and strengthen the disinclination to vigorous exertion. Compulsory labor, without pecuniary or other reward, does not stimulate the drooping spirit as do congenial tasks voluntarily undertaken, with the sure prospect of adequate remuneration.

It may be said, however, that idleness sometimes becomes almost unendurable, and prisoners plead for some work to do as a relief from the intolerable torpor and monotony of prison life. From the dreary and depressing barrenness of existence with its gloomy ruminations and recollections, a task requiring muscular exertion and some mental effort, is a desired variation, and a welcome blessing.

To dispel ignorance, to supply the defects of education and correct the faults of character, should be the purpose of prisons in civilized communities. To this end, how exceedingly important are physical exercise, instruction in the fundamentals, an appropriate grading and marking system, a systematic industrial training! Many adult prisoners are but children in intellectual development. Their minds no doubt are less impressionable than those of average children, but they are quite capable of acquiring

* Morrison, Juvenile Offenders.

knowledge. And when to the training of the schools and the shops a course in ethics is added, and this is supplemented by sympathetic instruction in the essential truths of religion, a prisoner should approach the end of his term and liberty with some prospect of becoming a useful and self-supporting member of the community.

"It must never be forgotten that the habitual criminal is in far too many cases a product of prison treatment, a victim of vicious and unsound methods of dealing with the convicted population. The value of prison regulations is not to be tested, as is too often assumed, by the behavior of prisoners within the prison walls. The value of these regulations must be tested by their beneficent effect upon the prisoner when he is restored to liberty. In other words, prison treatment is successful in so far as it results in preventing the ex-prisoner from returning to a life of crime."*

The advantages of those discharged from a reformatory over those discharged from a State prison are noteworthy. The former, provided their detention has been sufficiently long, have received a genuine, if elementary mental education, and more or less adequate industrial training, so that they possess what they had not upon entering the reformatory — ability to earn an honest livelihood in one or other of the established trades or occupations. The earning capacity of hundreds is doubled.†

The long-term prisoner in a State prison, as a rule, emerges with no such advantage.

"It is also a fundamental truth that, other things being equal, a man who has been a convict is at a disadvantage in securing and retaining work. If a man does not raise his industrial grade while in confinement, he will find himself on his release worse off than before."‡

There will be a general agreement with the opinion that it would be well if employment could be procured in advance of the prisoner's liberation; and that those who seek to assist him in this way, should become acquainted with him in prison, in order to study his disposition, capabilities and needs.

* Morrison, *Juvenile Offenders*.

† Reformatory inmates, many of them, "are at the very bottom of the industrial scale." *Elmira Report*, 1905, p. 15.

‡ *Elmira Report* for 1905, p. 14.

In after-acquired acquaintance, it has been said, it is difficult to gain the confidence of the prisoner, or to acquire such an influence over him as to deter him from wrongdoing.

It is interesting to be informed that four out of five Elmira men seem to be permanently reformed and only 4 per cent. actually return to crime.

It is gratifying to be able to report that in November, 1905, "a fit, comprehensive and adequate school system" was established in the prisons of the State of New York and that the prisoners attend school one hour and a half every day except Sundays and holidays.

It may here be said likewise that the New York Superintendent of Prisons disapproves of granting an absolute release to a prisoner at the end of a definite sentence. He thinks "there should be a period of limited freedom, semi-dependence and partial restraint between the prison and absolute liberty."§

The prisoner should be prepared for a conditional liberation, and to face the difficulty of adjusting himself to new conditions, of establishing himself in some trade, or industrial occupation.

THE RELEASED PRISONER.

It is natural for the prisoner to look forward to the day of freedom with pleasure, and even elation. If he has a family and friends to turn to for sustenance and employment, there is a substantial basis for his satisfaction. But what of him who has neither family nor friends? The joy of being free must soon be followed by disappointment and dejection. Homeless, workless, friendless, penniless, his condition is indeed serious.

In the legal sense, the prisoner is free, but he is not in the high moral sense really free, as long as his will is perverted or enslaved, or heteronomous, that is, controlled or directed by immoral, or unmoral motives, by his innate animalism and tendency to disobedience and lawlessness.

The problem is, how to make the ex-prisoner really free, to convert his velleities into volitions, to develop the resisting and propelling power of his will in the pursuit of what is socially normal and morally right. The fascinations and allurements of

§ Report for 1906, p. 21.

a criminal career must be dispelled, and the satisfactions and rewards of a career of steady industry inculcated.

Here no doubt is an opportunity for personal influence of the strong, firm, yet sympathetic sort. The friendly interest of a true man, or sympathetic woman at such a time is supremely needed by many ex-prisoners. Some of those who have been so favored have become useful and honest members of society.

During the first weeks after liberation, the ex-prisoner is subjected to many open and subtle temptations, while his nature is probably flaccid and easily influenced for evil. He is perhaps in a state of languor and hebetude, incapable of initiative, and disinclined to vigorous and continuous exertion in one or other of the departments of conventional activity. He has little or no stimulus to set him to work, little or no encouragement to keep him busy at uncongenial and underpaid tasks; no pleasant home to welcome and console him. What he needs is some vivifying force to dispel his languor and infuse energy into him.

Discharged prisoners, as Professor Henderson has said, are not so resentful and ferocious as helpless.

"Perhaps the most distinctive trait in a body of criminals is not violence nor cunning; but simply feebleness and low vitality. Hereditary weakness, acquired diseases, and the effects of dissipation unnerve young men and rob them of power to resolve and to persist in a course of action."*

It may be true, as it has been said, that 50 per cent. of prisoners leave prison with a desire to amend; but they are incapable of effectuating that desire. This, at any rate, is true of many. Hence the lapses into crime, a return to prison, and perhaps incurable recidivism.

It has been said that there is no very great difference between those in prison and many outside. Prisoners come from all ranks of society; some are educated and refined, of good parentage, and from good homes, although this of course cannot be said of the majority. Undoubtedly it is true that there are many persons, young men in the large cities, for example, who have not become obnoxious to the criminal law, who nevertheless need attention — young men without home influence, detached and aberrant young men, who on account of defective heredity, un-

* C. R. Henderson; *Modern Prison Systems*, Washington, 1903.

fortunate training, or lack of training, and consequently weak character, are headed for the reformatory or State prison.

Prophylaxis is of the highest importance, and if this class could in some way be looked after and be kept straight, the number of candidates for penal institutions would diminish.

There are many unconvicted and unimprisoned persons who, nevertheless, need very much the same treatment as ex-convicts.

Upon leaving prison (in New York) the convict receives a suit of clothes, ten dollars and the cost of transportation to the place from whence he came, his former city, town or village.* The ten dollars are quite likely to be soon parted from him, for there are persons on the lookout for discharged prisoners, who lure them into saloons and succeed in one way or another in getting possession of their money. Of course, prisoners before liberation should be and are warned against such influences and should be persuaded to resist the attractions of the saloon and resolutely abstain from alcoholic drinks; especially is this important to those who were drawn into crime wholly or partly through addiction to drink.

Supposing the ex-prisoner to have at length reached his destination, what is he to do? He has learned in prison that there is an association, society or other organization that makes it its business to assist ex-prisoners. It is quite probable, however, that while in prison he has been prejudiced against one or all of these organizations from hearing about them from other prisoners. Many ex-prisoners refuse to go to the Prison Association in New York. They object to the supervision to which they must submit, to the regulations imposed, to the work required and to the obligation to report weekly or monthly. The ex-prisoners recognize the fact that they are really on probation, and this, to many, is objectionable. If, however, one seeks the Prison Association for assistance, he is registered, provided with meals, and with clothing, if necessary; some task is assigned to him by way of test and an effort made to secure steady employment for him. Reference may be made to the difficulty of securing permanent employment for ex-prisoners, due to the reluctance of many employers to engage the services of ex-convicts; and to the objection of many laboring men to tolerate ex-convicts as coworkers with themselves.

* Some discharged prisoners object to returning to the place of their former residence. The probabilities of complete reformation are sometimes increased by removing to a locality where the ex-prisoner is unknown.

These are not always insuperable difficulties; and there are employers who are ever ready to help a truly repentant ex-prisoner and to give him a chance to show that his reformation is genuine and permanent.

It is, no doubt, true that each ex-prisoner requires personal attention and that the treatment should be adapted to the needs of the individual. This, however, demands an amount of interest and zeal that cannot always be expected from the officers of an organization.

If there cannot be individual treatment in the best sense, there can be provided gradations of treatment for different classes of ex-prisoners: (1) for reformatory graduates; (2) for ex-prisoners who have served but one term; (3) for second, third and fourth termers, or habitual and professional criminals. For the last class, however, there is almost no prospect of permanent reformation, except through the influences of religion. Prison Association agents and officials could give abundant and interesting testimony, showing the weakness and helplessness, the instability, the duplicity and untrustworthiness of many ex-prisoners.

It should always be kept in mind that the object of prison associations is to rehabilitate the former prisoner, to prevent recidivism and to protect society or the State. "This," said a French writer, "is a simple work of benevolence and a matter of public security." It is of the highest importance that society should take precautions against the extension of the so-called criminal class, "*cette hideuse génération de malfaiteurs qui effraient partout la civilisation.*"

Whether the State by paid agents and officials should exercise supervision over ex-prisoners or undertake the work now performed by associations and individuals, is a question that is perhaps not finally answered and settled. Should the State, it may be asked, intervene and exercise control over prisoners' aid societies? If the moral reformation of the ex-prisoners is the main thing in view, the interference of the State in the management of prisoners' aid associations can hardly be regarded as proper or desirable.*

While the police can sometimes assist ex-prisoners, police surveillance is, nevertheless, disapproved by French writers, as tend-

* Report of Seventh International Prison Congress, p. 115.

ing to make it difficult or impossible for the ex-prisoners to secure employment, and hence to engender discouragement, despair and recidivism.

SHORT TERM MEN.

The army of discharged prisoners is unnecessarily enlarged by those committed for short terms to jails and penitentiaries for the less serious offenses, such as intoxication, vagrancy and various other misdemeanors. Upon being released, they soon fall back into the familiar evil ways and are returned to the jail or penitentiary for another short term. This procedure continues for indefinite periods. These short-term prisoners constitute a troublesome and expensive class. It would be better for them and for society if they could be sent to farm colonies or penal colonies, such as exist in Germany and Switzerland, where they could be compelled to labor and directed intelligently, with the view of making them useful and perhaps effecting a permanent improvement.

These offenders are generally victims of the drink habit and other vices, and disinclined to work steadily, if not incapacitated for productive industry. A correction farm, like the one near Cleveland, would probably prove of benefit to them and a relief to society.

THE BEGINNING OF REFORMATION.

Concerning a considerable number of prisoners, it has been asserted that they are deficient in moral sense, or even totally without it. How far this is a true statement it is difficult to say. If a prisoner is entirely destitute of moral sense, the hope of reform is, of course, at zero. If, however, as is most probably the case, his moral sense is only obscured or dormant, there is hope of reformation. He has potentially, at any rate, to use the expression of Dante, the good or the light of the intellect, but it is temporarily extinguished.

Reformation begins, therefore, in awakening the dormant moral sense, in causing the light of the intellect to shine. Stir in the offender the feeling of regret, repentance, remorse for his wrongdoing; revive in him self-respect; awaken the consciousness of the supreme authority, the inviolable majesty of the moral law, the absolute necessity of obedience to the eternal prohibitions and the categorical imperative, and the work of reformation has begun.

Without this perhaps revolutionary, or evolutionary experience, external aid, personal interest, encouragement, admonition, industry will not wholly avail. Enable him to perceive and become convinced of the reasonableness and inner rewards of right living, develop in him the faculty of self-help, and reliance upon the eternal Author of the moral law, and his start upon the pathway of reformation and the normal life will be most favorably auspicated.

If, in addition, he is emancipated from the dominion of drugs or drink, or other vices, and is on his guard against temptations in all their subtle and insidious forms, and his will reinvigorated and resolutely determined to follow right in scorn of consequence, the prospect of complete reformation is bright indeed.

PRISON REFORM.

I am by no means without hope that prisons will eventually be reformatory institutions in the best sense; that in structure, location, management, the improvements demanded by an intelligent solicitude for the reformation of the criminal population, and so indirectly for society itself, will be adopted.

Instead of a great gloomy building where prisoners of all grades of criminality, without classification, are assembled under one roof, with the ill-lighted, ill-ventilated cell blocks and other features more or less abominable, the model prison should consist of a group of buildings situated upon a farm or tract of land sufficiently extensive to admit of agriculture on a large scale. The men should spend a large part of the day in the open air, engaged in farm work or road making. There should also be one or more buildings for instruction in the various trades and industries, in order to prepare the men for self-support after liberation. Provision should also be made for the simple education, which many prisoners so greatly need.

I anticipate the objections that can and will be raised to any such scheme of proposed prison reform. The expense of maintenance, it may be said, would be too great. Perhaps it would be larger than at present, but the beneficial results would justify it. Again, it will be asserted that the possibility of escapes would be increased, especially if there were no massive prison wall twenty or thirty feet high.

In reply, it may be said that if the prison were placed in a neighborhood remote from a railway or river, the natural boundaries of which, such as mountains, would deter and discourage prisoners from attempting to escape, an escaping prisoner would not be able to proceed very far before a notification of his escape and description of him were sent by telephone or telegraph to adjacent villages and stations.

Moreover, in the model prison, there would be a classification of prisoners, the more desperate and dangerous ones being carefully secluded and guarded; while there would be no need of such strictness in the care of the majority, who, it may be assumed, would be amenable to discipline and disinclined to escape.

The Correction Farm at Cleveland is an instance of the rational treatment of jail cases. The results hitherto have been gratifying; and there seems to be no reason why a similar experiment with those convicted of felonies should not be tried, and with the prospect of good results.

These are, of course, only suggestions or outlines of what, in the writer's opinion, a modern prison should be.

In conclusion, let it be repeated that prevention is the principal thing—to impress upon the young the importance of simpler and more rational living, in closer touch with nature; to check and turn back the stream of young men and girls from the country to the large cities, to encourage and stimulate an enlarged interest in agriculture and forestry, occupations and handicrafts that take men and women into the open air; to put an end to, or at least to relieve and reduce the congestion in great cities; to regulate strictly the liquor business and abolish the saloon as at present permitted in some States; but above all, to change or try to change the entire attitude of men toward property and its acquisition, so as to discourage the accumulation of monstrous fortunes by iniquitous and criminal methods, and their transmission to irresponsible and degenerate descendants; so that greed of gain and the passion for property may be regarded as a species of abnormality to be avoided by reasonable men; to treat with severity rather than with honor and distinction those whose lives are wholly spent in the acquisition of great wealth by illegal and criminal methods and for selfish purposes.

TREASURER'S REPORT.

(For the twelve months ending December 31, 1908.)

Balance in Mechanics National Bank, January 1,	
1908.	\$4,536 18
Received from Reserve Fund.	5,571 50

INCOME.

Donations received (12 months)....	\$13,060 48	
New York State Reformatories....	1,500 00	
Rents	956 00	
		15,516 48
		\$25,624 16

EXPENDITURES.

Expenses of agency in New York city for persons under arrest, on probation in care of the Associa- tion, discharged convicts and gen- eral relief work	\$8,811 35	
Expenses of State organization, prison and jail inspection and county work.	3,713 37	
Expenses of library and furniture..	576 71	
Expenses of real estate including taxes, water rents, insurance, inter- est on mortgage, repairs, supplies, etc.	1,220 63	
Transferred to Reserve Fund.....	2,000 00	
Mortgage on 135 E. 15th street paid off	5,500 00	
		21,882 06
Balance on hand December 31, 1908.....		\$3,802 10

COUNTY COMMITTEES.

In order to secure proper attention to local conditions, and co-operation with reference to the general prison system of the State, the plan of organization of the Prison Association of New York permits the formation of a corresponding and co-operating committee in each county of the State. The persons in the following counties have accepted such positions.

Broome county.—Residence, Binghamton, Dr. J. G. Orton, H. M. Beecher, Austin S. Bump, D. H. Carver, Dr. J. M. Farrington, S. J. Hirshman, E. C. Tichener, William A. White.

Cattaraugus county.—Residence, Portville, Hon. W. B. Merse-
reau.

Cayuga county.—Residence, Auburn, Frank W. Richardson, Dr. Cheeseman, Prof. Arthur S. Hoyt, Mrs. Mary C. Beardsley, Frederick Sefton, M. D., Rev. E. W. Miller.

Chemung county.—Residence, Elmira, Z. R. Brockway, Rev. William T. Henry, W. C. Peebles, Mrs. J. H. Pierce, Hon. Charles R. Pratt, Theron H. Wales, M. D.

Chenango county.—Residence, Norwich, Nelson P. Bonny, J. L. Ray, Rev. Daniel W. Dexter.

Clinton county.—Residence, Plattsburg, James Eckersley, W. C. Pike.

Delaware county.—Residence, Delhi, Andrew J. Nicol, James K. Penfield.

Erie county.—Residence, Buffalo, A. G. Sherman, George B. Bell, C. B. Armstrong.

Essex county.—Residence, Keene Centre, John Martin, Mrs. John Martin, Horace Nye, Mrs. Lilian Winch.

Genesee county.—Residence, Batavia, H. J. Burkhart.

Greene county.—Residence, Greenville, Chas. P. McCabe; residence, Catskill, J. I. Olney, Jeremiah Day.

Herkimer county.—Residence, Herkimer, O. H. Deck, M. D.

Jefferson county.—Residence, Watertown, J. C. Knowlton.

Livingston county.—Residence, Geneseo, Dr. John H. Milne; residence, Dansville, Dr. James H. Jackson, A. O. Bunnell.

Monroe county.—Residence, Rochester, William E. Sutherland, Judge Arthur E. Sutherland, Quincy Van Voorhis, W. R. Taylor.

Montgomery county.—Residence, Fonda, W. Frothingham, J. C. Caton.

Oneida county.—Residence, Clinton, Rev. E. P. Powell.

Onondaga county.—Residence, Syracuse, A. B. Blodgett, J. C. Carson, Henry N. Hyde, Rev. E. W. Mundy.

Ontario county.—Residence, Canandaigua, Dr. C. T. Mitchell; residence, Seneca Castle, Levi Page.

Oswego county.—Residence, Oswego, C. H. Butler, Gilbert Mollison.

St. Lawrence county.—Residence, Canton, Charles Caldwell, Worth Chamberlain, Mrs. D. L. Jackson, Dr. Payson, W. R. Remington; residence, Ogdensburg, Robert J. Donahue, Bishop Henry Gabriels.

Steuben county.—Residence, Atlanta, H. C. Hatch; residence, Hornellsville, B. F. Smith, M. F. Smith; residence, Hammondsport, Monroe Wheeler.

Wyoming county.—Residence, Warsaw, H. E. Gurney.

HONORARY CORRESPONDING MEMBERS.**UNITED STATES.**

Alabama.—R. H. Dawson, Montgomery; Miss Julia S. Tutwiler, Livingston; Mrs. R. D. Johnston, Birmingham.

California.—Brainard F. Smith, Represa, Sacramento Co., Cal.; Earl M. Wilbur, Berkeley.

Colorado.—William F. Slocum, Colorado Springs.

Connecticut.—John C. Taylor, Hartford.

Florida.—L. B. Wombwell, Tallahassee.

Illinois.—Prof. C. R. Henderson, Rev. H. H. Hart, Chicago.

Indiana.—Thos. E. Ellison, Fort Wayne.

Kansas.—John D. Milliken, McPherson; R. W. McClaughry, Fort Leavenworth.

Louisiana.—Clarence F. Low, New Orleans.

Massachusetts.—W. F. Spalding, Boston; F. B. Sanborn, Concord.

Michigan.—Levi L. Barbour, Detroit.

Minnesota.—Samuel G. Smith, St. Paul; Austin H. Young, Minneapolis.

Missouri.—Thos. P. Haley, Kansas City.

New Jersey.—E. J. Anderson, Trenton.

New York.—Z. R. Brockway, Elmira.

North Carolina.—Col. W. F. Beasley, Plymouth.

North Dakota.—N. F. Boucher, Bismark.

Ohio.—Gen. R. Brinkerhoff, Mansfield.

Oregon.—Rev. Thos. L. Eliot, D. D.

Pennsylvania.—I. J. Wistar, Philadelphia.

Tennessee.—Rev. P. L. Cobb, Rev. A. L. Phillips, Mrs. Z. N. Williams, Nashville.

Texas.—John N. Henderson, Dallas; L. A. Whatley, Huntsville.

Vermont.—L. D. Hazen, St. Johnsbury.

Wisconsin.—Clarence Snyder, Hon. James E. Heg, A. O. Wright, Madison.

Washington.—John B. Catron, Walla Walla; Hon. Ernst Sister, Tacoma.

Foreign Countries.**AUSTRALIA.**

Mrs. Stafford Bird, Hobart, Tasmania.

Sir John Dodds, K. C. B., Lieutenant-Governor, Hobart, Tasmania.

BERMUDA.

J. H. T. Jackson, Hamilton.

FRANCE.

A. Rivière, formerly Secretary Société Générale des Prisons, Henri Prudhomme, Secretary Société Générale des Prisons, 14 Place Dauphine, Paris; Mons. Bonneville de Marsangy, No. 7 Rue Penthievre, Paris; Dr. Paul Baillièrre, 128 Boulevard Haussman, Paris; R. Bérenger, Vice Président du Sénat, 11 Rue Portalis, Paris.

GERMANY.

Johann Wichern, Rauhe Haus, Horn bei Hamburg; Herr Heinemann, 250 Hammer Landstrasse, Horn bei Hamburg; Dr. Föhring, President Tribunal of Justice, Hamburg; Pastor Winckelman of the Prison Association of Saxony; Dr. Paul Herr, Rechtsanwalt am Oberlandesgericht, Hamm, Westfalen; Dr. A. Hartmann, Amtsgerichtsrath, 6 W. Courbiere St. Berlin, Germany; Dr. B. Freudenthal, 51 Leerbachstrasse, Frankfort am Main, Germany.

GREAT BRITAIN.

Alfred Davis, 13 St. Ermins Mansions, Westminster, London, E. C.; Dr. Maurice Davis, 11 Brunswick square, London, W. C.; J. J. Henley, Local Government Board Inspector, New Government office, Westminster, London, Eng.; Johanna Margaret Hill, 62 Hagley road, Birmingham, Eng.; Thomas Holmes, Secretary of Howard Association, 43 Devonshire Chambers, Bishopsgate street Without, London, Eng.; Walter R. Crofton, Calmoor Croft, Totton, Hampshire, Eng.; John Macdonnell, London, Eng.; Lord James Hereford, London, Eng.; Leslie Scott, Esq., Liverpool, Eng.; Sir E. Ruggles-Brise, K. C. B., Chairman of Directors of

Convict Prisons Parliament street, London, Eng.; Rev. Canon Horsley, St. Peter's Rectory, Walworth, S. E., Eng.; Arthur Madison, Secretary, Reformatory and Refuge Union, London, Eng.; Sir John Scott, Malabar House, St. Albans, Eng.; Rev. Dr. W. Douglas Morrison, Marylebone Rectory, N. W., London, Eng.

HOLLAND.

J. J. Gockinga, Arnhem, Province Guilderland; J. Bruinwold-Riedel, Amsterdam.

INDIA.

Rev. Dr. T. J. Scott, Bareilly.

ITALY.

Senator Martino Beltrani-Scalia, Rome; Baron R. Garofalo, 29 Largo Garofalo, Naples.

JAPAN.

Terusaki Oinouye, Kabato, Hokkaido; Rev. K. Tomeoka, 38 Miyamasee, Sibuya, Tokio; H. Sano, Secretary General of the Penitentiary Society of Tokio; Keigo Kiyoura, Minister of Justice, Tokio.

RUSSIA.

Hon. Michael Kazarin, Department of Prisons, St. Petersburg.

SWITZERLAND.

Dr. Guillaume, Bureau of Statistics, Berne.

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BY CONTRIBUTIONS OF \$500 OR MORE AT ONE TIME.

M. Bayard Brown.	Miss Serena Rhinelanders.
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Oswald Ottendorfer.*	John David Wolfe.*
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* Deceased.

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BY CONTRIBUTIONS OF \$100 AT ONE TIME.

George B. Archer.	Mrs. William E. Dodge.
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"C. C."	Baroness Halkett.
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Dean Sage.	J. Walter Wood.
Joseph Sampson.	William Wood.

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BY CONTRIBUTIONS OF \$50 AT ONE TIME.

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Robert Ray.
James I. Raymond.
George A. Robbins.
Miss Elizabeth W. Roberts.
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Thomas F. Rowland.
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W. C. Schermerhorn.
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Alonzo B. See.
James O. Sheldon.
Austin Sherman.
B. B. Sherman.
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John W. Simpson.
Samuel Sloane.
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Cornelius Smith.
Leo Speyer.
Frederick K. Stevens.
John Stewart.
Miss C. R. Stillman.
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Olivia E. P. Stokes.
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James F. Sutton.
Charles N. Talbot.
I. T. Terry.
Mrs. Frederick F. Thompson.
Allen Tucker.
Samuel Auchmuty Tucker.
Abram Van Nest.

* Deceased.

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Rev. S. H. Virgin.
Bleecker Van Wagenen.
W. Walker.
F. M. Warburg.
A. Ward.
Samuel Wetmore.
John J. White.

Mrs. Joseph M. White.
Mrs. Laura Willard.
S. M. Wilson.
Mrs. E. V. S. Winthrop.
W. H. S. Wood.
E. J. Woolsey.
Mrs. E. J. Woolsey.
Andrew C. Zabriskie.

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A.			
"Acorn"	\$10 00	Bacon, Mrs. F. McN., Jr.....	\$5 00
"A Friend"	5 00	Bailey, Mrs. J. S.....	5 00
"A Friend"	2 00	Bailey, Mrs. P.....	5 00
"Anonymous"	25 00	Baker, George F.....	25 00
"Anonymous"	10 00	Baldwin, Miss F. T.....	1 00
"Anonymous"	7 00	Baldwin, J. S., Jr.....	1 00
"Anonymous"	25 00	Balfour, Williamson & Co...	25 00
Abbott, Rev. Lyman.....	5 00	Banks, J. L.....	5 00
Achelis, Fritz	10 00	Barbour, R.....	5 00
Adams, Miss C. L.	5 00	Barclay, Mrs. S. M.....	5 00
Agnew, A. G.....	10 00	Barhydt, Mrs. P. H.....	10 00
Agnew, George B.....	5 00	Barlow, Mrs. A. H.....	5 00
Aldrich, Mrs. James Herman.	5 00	Barnes, Miss C.....	10 00
Aldrich, Mrs. Richard.....	25 00	Barnes, E. W.....	1 00
Alexander, Mrs. C. B.....	10 00	Barnes, H. S.....	10 00
Alexander, Rev. George....	5 00	Barnes, Mrs. H. W.....	10 00
Alexandre, John E.....	5 00	Barnes, Richard S.....	10 00
Allcock Mfg. Co.....	20 00	Barnwell, M. G.....	5 00
Allebone, Mrs. J. O.....	10 00	Barr, Mrs. W. R.....	5 00
Allen, C. H.....	5 00	Barre, Leon	5 00
Allen, Mrs. Paul.....	5 00	Barrows, Ira	25 00
Amend, B. G.....	5 00	Bartlett, Mrs. H. P.....	5 00
American Felt Co.....	25 00	Bates, Mrs. B. F.....	5 00
Anderson, A. J. C.....	10 00	Batjer & Co.....	10 00
Appel, S. P. Co.....	5 00	Batjer, H.	10 00
Archbold, John D.....	25 00	Batten, Rev. L. W.....	5 00
Arkenburgh, Mrs. E. J....	2 00	Battey, Foulkes & Trull....	1 00
Arnstein, L.	10 00	Baudouine, A.	5 00
Ashforth, Mrs. F. deG....	10 00	Bayer, E. S.....	5 00
Ashmore, Mrs. S. G.....	5 00	Baylies, Mrs. N. E.....	10 00
Astor, Mrs. John Jacob....	20 00	Baylis, Miss M.....	5 00
Atterbury, J. T.....	25 00	Beach, Capt. Warren C....	5 00
Auchincloss, Mrs. E. S....	10 00	Bechstein, A. E.....	25 00
Auchmuty, Mrs. R. T.....	25 00	Beckhard, M.....	10 00
Austin, Nichols & Co.....	10 00	Beer, Mrs. J.....	5 00
Avery, Mrs. S. P.....	10 00	Behr, E.....	2 00
Ayres, S., M. D.....	1 00	Behr, H. & Co.....	5 00
B.		Belknap, W. E.....	2 00
"B. B. S."	5 00	Bell, Mrs. E.....	10 00
Babcock, H. D.....	5 00	Bell, Mrs. G. K.....	10 00
Babcock, Mrs. P.....	10 00	Beller, Mrs. A.....	2 00
Bacon, D.....	5 00	Belloni, Miss S. H.....	1 00
		Belmont, August & Co.....	25 00
		Benedict, E. S.....	3 00

Benedict, Mrs. J. H.....	\$5 00	Brown, M. Bayard.....	\$250 00
Benjamin, Mrs. E.....	10 00	Brown, Miss M. R.....	10 00
Benson, Miss M. A.....	1 00	Brown, R. I.....	5 00
Bentley, Miss Meta E.....	2 00	Brunswick, Mrs. E.....	5 00
Benziger, L. G.....	10 00	Brush, W. F.....	5 00
Berard, E. M.....	10 00	Bryce, Miss E.....	5 00
Bernheim, H. J.....	10 00	Bryce, Miss M. T.....	10 00
Bettys, J. Y.....	1 00	Bucknall, Mrs. H. W. I.....	5 00
Bewer, Rev. J. A.....	1 00	Buckner, T. A.....	10 00
Bier, Mrs. S.....	5 00	Bulkley, E. M.....	25 00
Biglow, L. H.....	10 00	Bulkley, Mrs. E. M.....	25 00
Billings, F.....	25 00	Bull, A.....	5 00
Billings, Mrs. F.....	50 00	Bunting, Miss E. M.....	5 00
Billquist, C. E.....	38 00	Burbank, A. N.....	10 00
Bingham, Mrs. G. F.....	5 00	Burchell, Mrs. Janet	5 00
Bishop, S. W. M.....	5 00	Burden, Henry, 2d.....	10 00
Blair, Mrs. D. C.....	10 00	Burnett, C. H.....	5 00
Blair & Co.....	10 00	Burnham, Dr. H. D.....	5 00
Blatchford, Mrs. S. A.....	5 00	Burnham, Mrs. L. S.....	1 00
Bliss, E. C.....	25 00	Burns, A. L.....	2 00
Bliss, Rev. J. C.*.....	5 00	Butler Bros.....	5 00
Blood, S. S.....	20 00	Butler, Miss E. O.....	5 00
Bloodgood, J. H.....	15 00	Butler, Miss H. C.....	5 00
Bloomer, C. D., Jr.....	5 00	Butler, W. P.....	5 00
Bluen, M. J.....	10 00	Butterick, Miss M. E.....	10 00
Blumenthal, G.....	10 00	Butterworth, Mrs. G. F.....	5 00
Boardman, Mrs. L.....	5 00		
Bodenheimer, H.	10 00	C.	
Bogert, E. C.....	100 00	"Cash"	10 00
Borg, S. & Co.....	10 00	"Cash"	25 00
Borger, Mrs. C. S.....	2 00	"Cash"	1 00
Boskowitz, A.....	5 00	"Cash"	6 00
Bowler, R. P.....	10 00	"Cash"	10 00
Brackett, Miss A. C.....	5 00	"C. C."	100 00
Brackett, G. C.....	10 00	"C. S."	25 00
Bradley & Smith	10 00	Cahn, J.	5 00
Braine, Mrs. T.....	10 00	Callender, Mrs. A. M.....	1 00
Brannan, J. W., M. D.....	10 00	Calman, Mrs. E.....	3 00
Brazier, E. J.....	5 00	Calvary Church	20 00
Brennan, Mrs. M.....	2 00	Cantor, Joseph	5 00
Brickelmaier, J. B.....	5 00	Carnegie, Andrew	100 00
Bridgham, Miss E. G.....	5 00	Carnegie, Mrs. T. M.....	100 00
Bristol, J. I. D.....	5 00	Carter, Ernest T.....	5 00
Brittain, W. F.....	5 00	Carter, Rev. S. T.....	10 00
Broadwell, Mrs. S. J.....	5 00	Cary, Miss K.....	10 00
Brokaw, G. T.....	5 00	Case, Mrs. C. P.....	3 00
Brouwer, T. A.....	15 00	Cattus, Mrs. F. C.....	10 00
Brown, J. C.....	25 00	Cauldwell, Mrs. W. A.....	5 00

* Deceased.

Century Co., The.....	\$25 00	Crane, Mrs. W. N.....	\$10 00
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Chapin, Mrs. A.....	5 00	Crimmins, Hon. J. D.....	10 00
Chapin, S. B.....	10 00	Crocker, Mrs. F. L.....	5 00
Chapman, Miss I.....	10 00	Crosby, Miss E.....	10 00
Chapman, Mrs J. J.....	25 00	Crowell, Mrs. Alice.....	10 00
Chapman, Miss Mary W....	2 00	Crowell, Miss C. H.....	5 00
Charles & Co.....	5 00	Curiel, H.....	2 00
Chesebrough, R. A.....	5 00	Currier, E. A.....	5 00
Chisolm, B. O.....	50 00	Curtis, Miss E. B.....	5 00
Chisolm, G. E.....	10 00	Curtis, E. J.....	5 00
Chisolm, Mrs. W. E.....	50 00	Curtis, Mrs. G. W.....	5 00
Clafin, The H. B. Co.....	10 00	Curtis, W.	5 00
Clancy, J. J.....	25 00	Curtis, Mrs. W. E.....	10 00
Clapp, G. S.....	10 00		
Clark, Miss E. M.....	10 00	D.	
Clark, Miss E. V.....	3 00	"D. W. C. W."	2 00
Clarke, Miss M. S.....	5 00	Daly, E. V.....	5 00
Clarkson, B.	10 00	Dana, Miss J. P.....	2 00
Clarkson, M. & H.....	10 00	Dana, W. B.	25 00
Clausen, G. U.....	10 00	Darling, Mrs. W.....	5 00
Claxton, H. H.....	3 00	Davidson, Mrs. M. L.....	10 00
Clyde, W. P.....	25 00	Davies, W. G.....	10 00
Cochran, W. H.....	5 00	Day, Mrs. H. M.....	10 00
Cockroft, Miss M. T.....	10 00	Dayton, R. E.....	5 00
Coffin, C. A.....	25 00	DeBary, F. & Co.....	10 00
Coffin, J. W.....	1 00	de Coppet, E. J.....	25 00
Cohen, N. D.....	5 00	de Coppet, H.....	25 00
Coit, J. T.....	10 00	Dederer, Miss P. H.....	1 00
Coley, Dr. W. B.....	5 00	de Forest, Robert W.....	10 00
Colgate, R. R.....	10 00	Dehon, Miss M. H.....	20 00
Colgate, W.	50 00	De Jonge, L.....	5 00
Collins, Miss M.....	10 00	De Klyn, B. F.....	25 00
Collord, G. W.....	25 00	Delafield, Mrs. J. R.....	5 00
Comstock, J. C.....	2 00	Delafield, Miss J. L.....	10 00
Congdon, H. L.....	5 00	Delafield, M. L.....	25 00
Conklin, Mrs. K.....	2 00	Delano, W. A.....	10 00
Connell, J. H.....	5 00	Denny, Miss A. E.....	5 00
Considine, Rev. M. J.....	10 00	Denny, Miss A. L.....	25 00
Cooke, H. D.....	1 00	De Peyster, Miss A. M.....	25 00
Coombe, T. G.....	5 00	De Sola, Bros. & Pardo.....	2 00
Cornell, E.....	5 00	Dickie, E. P.....	100 00
Coster, Mrs. C. H.....	10 00	Diedrich, Miss Marie M.....	5 00
Coster, Miss H.....	25 00	*Dix, Rev. Morgan.....	10 00
Cox, Mrs. J. J.....	10 00	Dodd, L. W.....	5 00
Coxe, Mrs. D.....	25 00	Dodge, C. H.....	25 00
Crampton, E. H.....	2 00	Dodge, Rev. D. S.....	25 00
Crane, Mrs. A. B.....	5 00	Dodge, Miss E. W.....	10 00

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Dodge, Francis E.....	\$10 00	F.	
Dodge, Miss G. H.....	25 00	F. S.....	\$10 00
Dodge, Mrs. W. E.....	100 00	Fagnani, Rev. C. P.....	3 00
Domerich, Mrs. L. F.....	5 00	Fahnestock, H. C.....	25 00
Dominick, M. W.....	10 00	Fallon, Hon. J. J.....	10 00
Donaldson, Mrs. H. H.....	5 00	Fearey, Mrs. M. L.....	10 00
Doob, Mrs. H. M.....	5 00	Ferguson, J. A.....	25 00
Dotter, C. T.....	5 00	Field, Mrs. W. D. C.....	3 00
Doubleday, F. N.....	5 00	Fincke, Mrs. B.....	2 00
Douglas, Mrs. G. W.....	10 00	Fink, Mrs. M. D.....	10 00
Dowd, J. J.....	10 00	Fischer, B. & Co.....	5 00
Dows, Mrs. D.....	25 00	Fish, Mrs. N.*	12 00
Draper, Mrs. H.....	10 00	Fisher, Dr. C. I.....	5 00
Dreyfus, Mrs. E.....	1 00	Fisher, Mrs. H. J.....	20 00
Dreyfous, Estate of Mrs. J. A.	1 00	Fisk, Pliny.....	10 00
Drisler, Mrs. H.....	5 00	Fiske, G. P.....	10 00
Drummond, A. L.....	1 00	Flagg, Mrs. J. B.....	5 00
Duane, Dr. A.....	5 00	Flint, Dr. Austin.....	5 00
Du Bois, Mrs. E.....	5 00	Floersheimer, S.....	10 00
Duer, Miss H. R.....	3 00	Flower, A. R.*	25 00
Duer, Miss M. T.....	5 00	Floyd, Mrs. W.....	24 00
Duggin, Mrs. C.....	10 00	Floyd-Jones, Mrs. G. S.....	5 00
Dun, Mrs. R. G.....	50 00	Foote, Dr. E. B., Jr.....	5 00
Dun, R. G. & Co.....	25 00	Forbes, D.....	10 00
Duncan, Miss A. L.....	50 00	Foster, A. L.....	10 00
Dunham, Mrs. C.....	10 00	Foster, J. H.....	10 00
Dunham, Mrs. G. H.....	10 00	Foster, M. G.....	25 00
Duryee, Mrs. G. Van W.....	1 00	Fougera, E. & Co.....	5 00
Dutton, E. P.....	10 00	Foulk, Mrs. M. P.....	5 00
Dwight, Mrs. M. E.....	5 00	Fowler, Miss E. A.....	4 00
Dyer, Mrs. F. L.....	1 00	Fowler, T. P.....	10 00
Dyer, Mrs. Geo. R.....	10 00	Fox, H. F.....	5 00
		Francis, C.....	5 00
E.		Frank, E. H.....	10 00
Eastman, Rev. A. F.....	5 00	Frankenbach, C. E.....	2 00
Edison, T. A.....	10 00	Frankfort, M.....	5 00
Edwards, J. H., D. D.....	2 00	Fraser, Mrs. G. S.....	10 00
Ehret, G.....	25 00	Fraser, Miss J. K.....	10 00
Eidlitz, R. J.....	10 00	Frazier, Miss A.....	10 00
Einstein, Wolff & Co.....	5 00	French, Mrs. J.....	10 00
Eiseman, Mrs. S.....	5 00	Frenkel, E.....	3 00
Elliott, G. L.....	10 00	Frissell, A. S.....	10 00
Ellis, W. D.....	5 00	Fry Art Co.....	5 00
Emanuel, Miss C.....	1 00	Fuller, Mrs. G. A.....	2 00
Emmons, A. B.....	25 00	Furniss, Miss C.....	10 00
Engler, A.....	5 00	"G. W. W.".....	10 00
Erbsloh, Rudolph.....	5 00	Gannett, Rev. W. C.....	5 00
Erlanger, A.....	5 00	Garrettson, F. T.....	5 00
Ewer, E.....	1 00	Garrigues, W. A.....	10 00

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Geer, Mrs. W.....	\$25 00	Hare, J. M.....	\$5 00
Gerrish, Mrs. F. S.....	5 00	Harkness, E. S.....	100 00
Gerry, E. T.....	25 00	Harkness, L. V.....	25 00
Gerry, P. G.....	100 00	Harmon, Mrs. W. E.....	20 00
Gerry, R. L.....	25 00	Harrison, Mrs. M. L.....	5 00
Gibson, Mrs. H. S.....	2 00	Hartwell, J. A., M. D.....	10 00
Gifting, J. C.....	1 00	Harvey, Miss R.....	5 00
Gilbert, G. N.....	1 00	Haaslacher, J.....	5 00
Gold, C. B.....	50 00	Hastings, Rev. T. S.....	5 00
Goldenberg, Bros. & Co.....	5 00	Havemeyer, J. C.....	10 00
Goldman, Mrs. M.....	2 00	Hawley, J. S.....	10 00
Goodnow, Mrs. A. F.....	5 00	Hayden, Mrs. H. J.....	10 00
Goodrich, Mrs. D.....	10 00	Haynes, Miss L. deF.....	5 00
Goodwin, J. J.....	25 00	Healy, A. A.....	10 00
Gould, Edwin.....	100 00	Hearn, J. A. & Son.....	25 00
Grace Church.....	98 63	Heide, H.....	10 00
Graeme, Mrs. J. W.....	2 00	Heidgerd, D. & H.....	5 00
Gray, H. G.....	5 00	Heilbrun, C.....	2 00
Gray, Hon. J. C.....	10 00	Heilner, Percy B.....	5 00
Greef, Bernhard & Co.....	25 00	Heimann, J.....	10 00
Greene, J. A.....	10 00	Heintz, J. C.....	10 00
Greenbaum, Mrs. S.....	5 00	Heiser, Miss R.....	1 00
Greene, G. S., Jr.....	5 00	Heller, Miss E. M.....	1 00
Greenough, J.....	10 00	Heller, L. & Son.....	5 00
Grout, T. J.....	5 00	Heller, Miss L. R. and friends	5 00
Guild, F. A.*	5 00	Hencken, Mrs. A. C.....	50 00
Guinzberg, Mrs. V.....	5 00	Hencken, H.....	5 00
Guiterman, Mrs. M. S.....	5 00	Henderson, Miss M. W.....	5 00
Guiterman, P. L.....	2 50	Hendricks, Mrs. E.....	5 00
Gulliver, W. C.....	10 00	Hendricks, Miss E.*	5 00
Gunther, F. L.....	10 00	Henriques, Mrs. C. A.....	10 00
Gurnee, A. C.....	10 00	Henry, W.....	10 00
Gwynne, A. C.....	5 00	Hentz, H.....	10 00
		Hentz, L. S.....	1 00
H.		Hepburn, Dr. W. M.....	5 00
Hadden, Mrs. H. F.....	5 00	Herrman, A.....	5 00
Haines, Mrs. C. D.....	10 00	Hermann, J.....	5 00
Hale, P. C.....	10 00	Herrman, Mrs. E.....	10 00
Halkett, Baroness.....	200 00	Herzig, J.....	10 00
Hall, Mrs. Bolton.....	5 00	Hess, S.....	5 00
Hall, Mrs. H. B.....	5 00	Heubach, G.....	5 00
Hall, J. P.....	5 00	Hewitt, Mrs. A. S.....	5 00
Hall, T. R. A.....	10 00	Hewlett, Mrs. J. A.....	5 00
Halsey, Mrs. E. D.....	3 00	Higbie, J. S.....	10 00
Halstead, Miss L. P.....	5 00	Hills, Mrs. A. K.*	5 00
Halsted, Miss M. M.....	10 00	Hills, W.....	10 00
Ham, James M.....	5 00	Hilyard, G. D., Jr.....	2 00
Hammersley, Miss & Master.	10 00	Hinrichs, F. W.....	2 50

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Hitch, Mrs. F. D.....	\$10 00	Jacobi, Dr. A.....	\$5 00
Hoar, Mrs. E. H.....	10 00	James, Mrs. D. W.....	25 00
Hoe, R. & Co.....	25 00	Jameson, E. C.....	25 00
Hoe, Mrs. R.....	10 00	Jermain, Miss M. C.....	25 00
Hoffman, Mrs. E. A.....	20 00	Jessup, H. W.....	5 00
Hoffman, F. B.....	10 00	Jesup, Mrs. M. K.....	50 00
Hoffman, S. V.....	10 00	Jex, Mrs. I.....	10 00
Holmes, A. D.....	5 00	Johnson, A. G.....	5 00
Holmes Electric Protective Co.	10 00	Johnson, E. M.....	5 00
Holt, Miss C. B.....	5 00	Johnson, Gilbert H.....	30 00
Holt, H.....	10 00	Johnson, I. B.....	5 00
Holt, Mrs. L. E.....	10 00	Johnson, J. W.....	30 00
Holter, Mrs. E. O.....	10 00	Johnston, D. V. R.....	10 00
Hopkins, J. A. H.....	10 00	Johnston, E. L.....	2 00
Hoppin, W. W.....	5 00	Johnston, Mrs. F. U.....	10 00
Hopps, Mrs. L. W.....	2 00	Johnston, W. G.....	10 00
Howard, Mrs. E. W.....	5 00	Jonas, W.....	5 00
Howe, J. Morgan.....	5 00	Jones, A. B.....	5 00
Howell, W. P.....	2 00	Jones, H. B.....	2 00
Hoyt, Miss G. L.....	5 00	Judkins & McCormick Co....	5 00
Hoyt, J. S.....	25 00	Judson, Henry I.....	10 00
Hoyt, W. S.....	10 00		
Hudson, P. H.....	10 00	K.	
Hun, M. T.....	10 00	Kahle, M.....	5 00
Hunt, C. W.....	10 00	Kalle & Co.....	5 00
Hurd, R. M.....	25 00	Karelsen, A. E.....	5 00
Husted, A. N.....	5 00	Kaufman, Mrs. L.....	5 00
Hutton, W.....	5 00	Keasbey, Miss. F. H.....	5 00
Huyier, J. S.....	10 00	Keiser, James R. Inc.....	10 00
Hyde, C. M.*	100 00	Keller Printing Co.....	5 00
		Kellogg, Mrs. C.....	10 00
I.		Kelsey, C. H.....	25 00
"In His Name".....	20 00	Kendall, Misses The.....	10 00
Ihlder, J. D.....	2 00	Kendall, Mrs. E. H.....	5 00
Inslee, Miss E.....	10 00	Kenyon, Mrs. E. C.....	5 00
Irving, Mrs. G. E.....	5 00	Kerr, W.....	10 00
Iselin, Mrs. W. E.....	10 00	Keteltas, Miss A.....	30 00
Iselin, W. & Co.....	10 00	Keyes, Dr. E. L.....	10 00
Isbam, S.....	10 00	Kidd, Mrs. J.....	5 00
		Kidde, W.....	5 00
J.		Kidder, Mrs. A. M.....	25 00
"J. B. C.".....	30 00	Kilborne, C. T.....	10 00
"J. V. V. B.".....	10 00	Kimball, A. R.....	10 00
"J. H. A.".....	5 00	King, Miss M. R.....	5 00
Jackson, Miss K. S.....	10 00	King, Mrs. W. V.....	5 00
Jackson, S. M.....	44 35	Kingsland, R. D.....	10 00
Jackson, Mrs. W. H.....	10 00	Kingsland, Mrs. W. M.....	10 00

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Kissam, S. H.....	\$20 00	Lockwood, Mrs. F. W.....	\$5 00
Kissel, G. E.....	10 00	Lockwood, H. N.....	10 00
Kittredge, S. D.....	1 00	Lockwood, Mrs. I. F.....	5 00
Knauth, Nachod & Kuhne....	20 00	Loeser, Mrs. V.....	10 00
Knopf, S.....	5 00	Lohrke, Otto E.....	5 00
Kohn, R. D.....	5 00	Loomis, Mrs. H. P.....	5 00
Koster, C. H.....	1 00	Lord, C. E.....	5 00
Kouwenhoven, P.....	5 00	Lord, G. deF.....	10 00
Kunhardt, W. B.....	10 00	Loring, D. A.....	25 00
L.			
Laight, Miss A. H.....	5 30	Lorsch, Mrs. H.....	2 00
L'Amoreaux, J. S.....	5 00	Low, Hon. Seth.....	10 00
Landon, Mrs. H. H.....	10 00	Low, W. G.....	25 00
Lane, F. T. L.....	5 00	Lowell, Miss C. R.....	25 00
Langdon, W. G.....	20 00	Ludlam, G. P.....	10 00
Langhaar, H. L.....	5 00	Lupton, F. M.....	20 00
Langton, J.....	50 00	Lydig, David.....	10 00
Lanman & Kemp.....	5 00	Lymann, Miss A. I.....	5 00
Lasher & Lathrop.....	5 00	M.	
Lathers, Miss A.....	10 00	McCagg, L. B.....	25 00
Lawrence, J. B.....	10 00	McClymonds, Mrs. L. K.....	100 00
Lawrence, Mrs. S.....	5 00	McConnell, F. W.....	5 00
Lawrence, W. B.....	10 00	McCook, Col. J. J.....	10 00
Leask, E. M.....	5 00	McCord, W. H.....	10 00
Lee, Mrs. G.....	1 00	McCreery, Mrs. James M....	10 00
Lee, J. L.....	5 00	McEwen, D. C.....	5 00
Lee, S.....	5 00	McEwen, T., Jr.....	2 00
Lee, W. H. L.....	10 00	McGeoch, Arthur M.....	10 00
Leech, Mrs. J. E.....	5 00	McIndoe, Walter J.....	10 00
Lehmaier, J. M.....	10 00	McLane, Mrs. A. L.....	5 00
Lent, W. D.....	10 00	McLane, Guy R.....	25 00
Letchworth, Hon. W. P.....	25 00	McLane, J. S.....	20 00
Levi, Sondheimer & Co.....	5 00	MacLaren, Mrs. F.....	25 00
Lewis, Mrs. E. A. S.....	1 00	MacMurray, Mrs. J. W.....	10 00
Lewis & Conger.....	10 00	Macy, V. E.....	25 00
Lewisohn, Mrs. A.....	10 00	Macy, W. H., Jr.....	10 00
Lewisohn, Misses Alice and Irene.....	500 00	Mager, Mrs. F. R.....	10 00
Liebman, Mrs. Adolph.....	5 00	Mair, William.....	5 00
Lincoln, L.....	5 00	Major, Miss Maria T.....	5 00
Lindemann, Miss A. S.....	2 00	Manierre & Manierre.....	20 00
Lindemann, O.....	10 00	Mansfield, H.....	5 00
Lion Brewery.....	10 00	Marc, T. M.*.....	10 00
Livingston, Miss J.....	10 00	March, Miss V. A.....	5 00
Lobenstein, W. C.....	10 00	Marrow, J. L.....	1 00
Locke, J. M.....	2 00	Marston, E. L.....	5 00
Lockman, J. T.....	10 00	Martin, J.....	5 00
		Martin, W. A.....	10 00
		Martin, W. V.....	5 00

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Marvin, Dr. D. M.....	\$5 00	Mott, W. F.....	\$10 00
Marwick, J.....	10 00	Munn, C. A.....	10 00
Massey, G.....	5 00	Munroe, Mrs. C.....	5 00
Maxwell, Mrs. R. M.....	10 00	Munsey, F. A.....	5 00
Mayer, Dr. A.....	10 00	Murray, Miss C.....	2 00
Mayer, Edward L.....	10 00	"	
"M. E. D.".....	1 00	N.	
Meier, E. D.....	5 00	Nagel, C. F.....	2 00
Meighan, B. C.....	1 00	Nassau Smelting & Refining	
Meigs, Mrs. T. B.....	10 00	Works.....	5 00
Melcher, J. S.....	10 00	Nathan, H. H.....	10 00
Mendelsohn, Bornemann & Co.	1 00	Neilsen, S.....	10 00
Mendelson, S.....	5 00	Neustadter, Mrs. C.....	25 00
Menocal, L. W.....	5 00	New Home Sewing Machine	
Merriam, Miss A. L.....	5 00	Co.....	10 00
Meserole, A.....	10 00	North, Dr. N. L., Jr.....	10 00
Meserole, Mrs. C. M.....	1 00	North, T. M.....	10 00
Metcalf Bros. & Co.....	10 00	Noyes, Mrs. H. D.....	5 00
Metzger, Mrs. J.....	2 00	O.	
Meyer, W. & Co.....	10 00	O'Connor, T. H.....	25 00
Middleton & Co.....	10 00	Odell, C. F.....	1 00
Milbank, Mrs. J.....	50 00	Ogden, Mrs. C. W.....	10 00
Miller, Mrs. A.....	10 00	Ogden, Miss M. F.....	10 00
Miller, I. DeP.....	10 00	Ogden & Wallace.....	10 00
Mills, Mrs. M. M.....	3 00	Ogilvie, F. B.....	5 00
Minturn, Mrs. J. W.....	10 00	Olcott, Dudley.....	25 00
Mitchell, Mrs. C. J.....	5 00	Olcott, Mrs. E. E.....	5 00
Mitchell, Mrs. M.....	10 00	Olcott, G. M.....	25 00
Mitchell, W.....	10 00	Olmsted, Mrs. C. T.....	15 00
Moffett, Mrs. C.....	10 00	Olyphant, F. M.....	5 00
Molineaux, General E. L....	5 00	Olyphant, R. M.....	10 00
Molineaux, R. B.....	5 00	O'Neill, Mrs. H.....	10 00
Moller, E. C.....	10 00	Opdycke, Mrs. E.....	10 00
Monteath, Miss S. J.....	2 00	Opdycke, Mrs. W. S.....	5 00
Montgomery, J. M.....	10 00	Openhym, Mrs. A.....	5 00
Montgomery, Mr. & Mrs. J. S.	10 00	Openhym, W. & Sons.....	10 00
Moore, Miss K. T.....	10 00	Oppenheimer, Dr. H. S.....	5 00
Moore, W. H. H.....	10 00	Ormsbee, A. I.....	5 00
Moran, Mrs. D. E.....	5 00	Osborn, William Church.....	25 00
Morgan, Miss C. L.....	25 00	Ottersen, Miss Lucy.....	5 00
Morgan, Mrs. D. P.....	20 00	Ottley, James H.....	10 00
Morgan, E. D.....	20 00	P.	
Morgan, G. H.....	10 00	Page, F. P.....	5 00
Morgan, Mrs. W. F.....	10 00	Palmer, General W. J.*.....	10 00
Morgenstern, Mrs. E. M....	5 00	Paris, Mrs. F. U.....	10 00
Morningstar, J.....	10 00	Paris, W. F.....	10 00
Morris, Mrs. W.....	2 00		
Morse, Mrs. L. D.....	10 00		
Mott, Lewis F.....	5 00		

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Pariah, H.....	\$50 00		
Parker, Mrs. A. W.....	5 00	Q.	
Parker, G.....	5 00	Quattlander, Rev. P.....	\$2 00
Parker & McIntyre.....	5 00		
Parker, Mrs. N. T.....	10 00	R.	
Parsons, Mrs. E.....	10 00	R. & G. Corset Co.....	5 00
Parsons, Mrs. F. T.....	10 00	Radley, J. J.....	10 00
Parsons, J. E.....	10 00	Ramsperger, G.	2 00
Passavant & Co.....	5 00	Rand, Rev. W. W.*	2 00
Pavenstedt, Adolf	20 00	Raphael, Mrs. E. R.....	3 00
Payne, Miss S. K.....	2 00	Raven, A. A.....	10 00
Pearson, Mrs. F.....	10 00	Raymond, R. W.....	10 00
Peck, Miss E.....	5 00	Read, W. A.....	25 00
Pedersen, F. M.....	1 00	Redmond, Miss E.....	20 00
Pedersen, Dr. J.....	1 00	Reutter, Mrs. R.....	10 00
Pegram, G. L.....	3 00	Rhoades, Miss J. H.....	5 00
Penfold, Miss J.....	25 00	Rhoades, Miss Nina.....	25 00
Perry, W. Herbert.....	2 00	Rice, I.....	5 00
Peters, W. R.....	5 00	Richard, Miss E.....	10 00
Phelps, Mrs. C.....	2 00	Richardson, Mrs. W. J. and	
Phelps, Mrs. M. R.....	5 00	Miss Bertha.....	2 00
Philbin, E. A.....	25 00	Riederer, L.....	5 00
Philbrick, E. C.....	5 00	Righter, J. H.....	10 00
Phipps, H.....	100 00	Riker, S.....	10 00
Pillot, Miss C.....	20 00	Ripley, Mrs. L. A.....	5 00
Planten, John R.....	10 00	Ripley, Miss S. S.....	5 00
Plaut, Albert.....	10 00	Rives, G. L.....	20 00
Plumb, C. L.....	2 00	Robb, J. H.....	15 00
Polk, Mrs. W. M.....	10 00	Robbins, P. A.....	10 00
Poor, Mrs. C. L.....	5 00	Robbins, Mrs. W. H.....	5 00
Pope, Miss E. A.....	5 00	Roberts, J. E.....	10 00
Pope, J. M. T.....	10 00	Roberts, Mrs. M. L.....	5 00
Pope, Miss T.....	5 00	Robinson, Mrs. K. D.....	5 00
Post, A. S.....	10 00	Robinson, Mrs. T. D.....	5 00
Post, J. H.....	25 00	Rockwell, Miss H. M.....	5 00
Potter, Miss B.....	10 00	Rockwell, Mrs. J. W.....	100 00
Potter, Miss G. H.....	5 00	Rodewald, Miss A. L.....	3 00
Pouch, F. E.....	5 00	Roessler & Hesselacher Chemi-	
Powell, B.....	1 00	cal Co.....	10 00
Prall, J. H.....	10 00	Rogers, F.	5 00
Pratt, S.....	5 00	Rollins, W. F.....	15 00
Prentice, R. K.....	5 00	Root, Charles T.....	10 00
Presbrey, C. H.....	2 00	Rossbach, Jacob.....	5 00
Price, Mrs. G. A.....	2 00	Rothschild, Bros. & Co.....	5 00
Prime, Miss M. R.....	10 00	Rusch & Co.....	10 00
Proudfit, Mrs. A.....	3 00	Rushmore, J. D.....	2 00
Pugh, T.....	1 00	Russell, J. W.....	2 00
Putnam's Sons, G. P.....	10 00	Rutterau, M. M.....	1 00

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S.			
"Savings of Carola".....	\$50 00	Shepard, Mrs. E. F.....	\$25 00
Sachs, L.....	5 00	Sherman, Mrs. C. E.....	10 00
Sachs, Mrs. S.....	10 00	Sherman, F. T.....	5 00
Sackett, H. W.....	5 00	Sherrill, Miss M. L.....	2 50
Sage, Dean.....	100 00	Short, Miss F.....	50
Sage, Mrs. Dean.....	50 00	Sibley, Mrs. H. W.....	5 00
Sahler, Miss H. G.....	3 00	Silberstein, A.....	2 00
St. Peter's Church.....	15 00	Silliman, H. B.....	25 00
Sanford, E. T.....	5 00	Sills, J. S.....	5 00
Sard, G.....	5 00	Simon, A. L. & Co.....	10 00
Saul, C. R.....	5 00	Skiddy, Mrs. W. W.....	10 00
Sawyer, D. M.....	10 00	Skougaard, J.....	25 00
Sayre, Miss M. H.....	20 00	Slade, F. L.....	5 00
Schenck, Miss H. W.....	2 00	Slicer, Mrs. T. R.....	5 00
Schermerhorn, F. A.....	25 00	Sloan, W. S.....	5 00
Schieffelin, W. J.....	20 00	Smith, Mrs. A. A.....	5 00
Schieffelin, Mrs. W. J.....	10 00	Smith, Dr. A. H.....	10 00
Schieren, Mrs. C. A.....	5 00	Smith, Eugene.....	25 00
Schiff, Jacob H.....	50 00	Smith, George C.....	10 00
Schiff, M. L.....	25 00	Smith, J. R.....	10 00
Schmidt, L.....	5 00	Smith, W. A.....	25 00
Schniewind, H., Jr.....	10 00	Spencer, Miss C.....	2 00
Schultheis, H.....	2 50	Spencer, C. H.....	5 00
Schuyler, Miss G.....	5 00	Sperry, W. M.....	10 00
Schuyler, Miss L. L.....	5 00	Speyer & Co.....	10 00
Schwab, Miss E.....	5 00	Speyer, L.....	10 00
Scott, Miss L. B.....	10 00	Spool Cotton Co.....	25 00
Scott, W.....	5 00	Spring, Miss A. R.....	5 00
Scribner, Mrs. J. B.....	20 00	Squire, G. H., Jr.....	15 00
Seager, H. R.....	5 00	Stagg, Mrs. Charles T.....	2 00
Seaman, F. A.....	10 00	Stammer, George.....	5 00
See, A. B. Electric Elevator Co	15 00	Stanton, Mrs. F. E.....	5 00
Seeley, Mrs. N.....	5 00	Starr, L. M.....	10 00
Selden, A. K., Jr.....	1 00	Stebbins, Mrs. C. H.....	5 00
Seligman, E. R. A.....	5 00	Steele, C.....	10 00
Seligman, G. W.....	10 00	Steers, J. R.....	10 00
Seligman, I. N.....	25 00	Stein, Miss H. A.....	2 00
Seligman, Mrs. J.....	5 00	Stein, P. F.....	1 00
Seligman, J. & W. Co.....	25 00	Stern, B.....	10 00
Seligman, Miss M.....	10 00	Stern, Mrs. L.....	5 00
Sellew, T. G.....	10 00	Stetson, F. L.....	25 00
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		Zabriskie, Mrs. T.	10 00
		Zimmermann, Mrs. J. E.	5 00

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Miss Virginia L. Bayne.	W. B. Kunhardt.
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J. D. Brown.	Mrs. MacBokkelen.
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William P. Howell.	Andrew C. Zabriskie.

APPENDIX.

AN ACT to incorporate the Prison Association of New York.
Passed May 9, 1846, by a two-thirds vote. (As subsequently amended.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. All such persons as are now are and hereafter shall become members to the said association pursuant to the constitution thereof, shall and are hereby constituted a body corporate by the name of The Prison Association of New York, and by that name have the powers that by the third title, of the eighteenth chapter, of the first part of the Revised Statutes, are declared to belong to every corporation, and shall be capable of purchasing, holding and conveying, any estate, real or personal, for the use of said corporation, provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation; and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

ARTICLE FIRST.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of prisons, whether for cities, counties or States.
3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE SECOND.

The officers of the society shall be a president, vice-presidents, a recording secretary, a corresponding secretary, and a treasurer, and there shall be the following standing committees, viz.: a finance committee, a committee on detentions, a committee on prison discipline, a committee on discharged convicts and an executive committee. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society, and not more than twenty-five shall be persons other than officers.

ARTICLE THIRD.

The officers named in the preceding article shall be ex-officio members of the executive committee, who shall choose one of their number to be chairman thereof.

ARTICLE FOURTH.

The executive committee shall meet once in each month, and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE FIFTH.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or in his absence one of the vice-presidents, shall designate.

ARTICLE SIXTH.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars shall constitute an honorary member of the association for life, and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE SEVENTH.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE EIGHTH.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE NINTH.

Any society having the same objects in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE TENTH.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the officers of the association, intermediate the annual meetings.

ARTICLE ELEVENTH.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers elected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city as the Court of General Sessions

of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects, and the said executive committee shall have the same powers to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations, relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment, of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper, and may appoint such officers, agents and servants, as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent during their minority, to such persons and at such places, to learn such proper trades and employments as in their judgment will be most conducive to their reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee by such committees as they shall from time to time appoint, shall have power, and it shall be their duty to visit, inspect and examine, all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers

and authority that by the twenty-fourth section, of title first, chapter third, part fourth of the Revised Statutes are invested in inspectors of county prisons and the duties of the keepers of each prison that they may examine shall be the same in relation to them, as in the section aforesaid, are imposed on the keepers of such prisons in relation to the inspectors thereof; provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of this State, or one of the judges of the Supreme Court or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons members of the said association by whom the examination is to be made, and the time within which the same must be concluded.

BY-LAWS.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at the annual meeting shall be as follows:

1. Election of chairman and secretary.
2. The reading of the minutes of the last meeting.
3. Report of committee on nominations.
4. Election of officers.
5. Report of corresponding secretary on the work of the year.
6. Annual report of the treasurer.

IV. The order of business at every other stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

V. The chairman shall appoint all standing and special committees and decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty

to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all meetings of the committee.

VII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; and shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

VIII. The treasurer shall have charge of the funds of the association, and shall give such security as the executive committee may require. His duties are more fully defined in by-law X.

IX. There shall be six standing committees, namely, on finance, detentions, discharged convicts, law, house, and library.

X. The committee on finance shall be charged with the duty of raising and caring for the funds.

The funds of the association shall be divided into three parts to be known as:

1. The endowment fund.
2. The reserve fund.
3. The general fund.

The Endowment Fund.—The endowment fund shall consist of such contributions as shall be given with the restriction that the income only shall be used for the purpose of the association, and all legacies.

The Reserve Fund.—The reserve fund shall consist of such sums as may be set aside from the general fund from time to time by the executive committee for investment. Whenever any part of the reserve fund shall be appropriated by the executive committee, such sum shall be immediately transferred to the general fund. The endowment and reserve funds shall be under the immediate direction and control of the committee on finance, and all investments of these funds shall be ordered by the committee. The treasurer of the association shall be a member and act as the treasurer of the committee on finance, and shall be responsible for the safe-keeping of the sureties of the endowment and reserve funds.

Any uninvested balance of the endowment and reserve funds shall be kept each in separate trust companies in the name of

the association, subject to check of the treasurer, and shall, whenever possible, bear interest. All income from the endowment and reserve funds may be transferred to the general fund as soon as received.

No part of the reserve fund shall be used for any purpose except by resolution of the executive committee, and whenever any part shall be appropriated by the executive committee it shall immediately be transferred to the general fund.

The General Fund.—The term "general fund" shall cover all receipts of the association not constituting a special fund or specified for the endowment fund, the intention being that all the income, except legacies, including donations for general purposes, and income from endowment and reserve funds, shall be credited to the general fund to which the authorized disbursements of each activity of the association shall be charged at the close of the fiscal year.

The treasurer shall notify the corresponding secretary at once of all transfers of income from the endowment and reserve funds to the general fund.

The treasurer shall notify the corresponding secretary, immediately on receipt by him of any sum for the account of the association, that such receipt may be entered at once to the credit of the proper account on the books of the association.

The corresponding secretary shall be the general disbursing agent of the association, the object of the provision being to keep in the central offices of the association all receipts for payments by him for the association of any kind, nature or description, and to have in the central offices immediate record of all his disbursements. This provision shall not apply to the endowment and reserve funds.

All donations received by the corresponding secretary shall be entered by him upon the proper books of the association and then deposited in such bank as directed by the treasurer to the credit of the association. Whenever the executive committee shall make an appropriation out of either the reserve or general fund, the corresponding secretary shall send to the treasurer a copy of the resolution making the appropriation, certified by the recording secretary, which certified copy shall be the treasurer's authority

for transferring the appropriated amount to the corresponding secretary.

The treasurer shall keep an account covering the general fund in the name of the association, subject to his check as treasurer in such bank as may be selected by him and approved by the committee on finance. Such account shall be separate and distinct from those accounts opened for the uninvested balance of the endowment and reserve funds.

The corresponding secretary shall keep a bank account in the name of the association, subject to his check as corresponding secretary for current disbursements, and shall deposit to the credit of said bank account all moneys he may receive from the treasurer drawn from the general fund.

The committee on finance shall audit and report upon accounts of the treasurer and of the corresponding secretary.

At each regular meeting of the executive committee the treasurer shall make a detailed statement of the receipts and disbursements for the preceding calendar month. He shall make a statement showing investments and the receipts and disbursements of the endowment and reserve funds; he shall make, at the annual meeting of the association, a detailed statement of receipts and disbursements for the fiscal year.

XI. It shall be the duty of the committee on detentions:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and in Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

XII. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

5. To consider the internal organization of the management of prisons, and the physical and moral influences to be exerted on the prisoners during their confinement; to report upon their health, reformation, upon convict labor, administration and internal police, on the comparative merits of different prison systems, and on the visitation of prisons and houses of reformation.

XIII. It shall be the duty of the committee on law to examine and report from time to time upon the penal legislation of the State, with their suggestions for the amendment thereto, to consider questions relating thereto which are under discussion in the press or the Legislature, including pending bills, and report their views and conclusions upon them; also to care for the law business of the association.

XIV. It shall be the duty of the committee on house to care for the maintenance of the real estate of the association.

XV. It shall be the duty of the committee on library to see that it is properly housed and catalogued and to take steps for its increase.

XVI. One or more agents may be appointed by the executive committee to assist the standing committees in their duties.

XVII. The president, chairman of the executive committee, and corresponding secretary shall be members, ex-officio, of all the standing committees.

XVIII. No alteration shall be made in these by-laws except upon notice of the proposed amendment given at a previous meeting of the executive committee.

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BEING THE SIXTY-FIFTH ANNUAL REPORT

OF THE



PRISON ASSOCIATION OF NEW YORK

1910 [1909]





MAKING MEN OVER

BEING THE SIXTY-FIFTH ANNUAL REPORT

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~~1910~~ [1909]

ALBANY
J. D. LYON COMPANY, PRINTERS
1910



Preface.

The sixty-fifth annual report of the Prison Association of New York includes the report of the Executive Committee, transmitted to the Legislature April 13, 1910, and additional matter down to September 1, 1910. As the financial year of the Association corresponds with the calendar year, the record of donations and the Treasurer's report are limited to December 31, 1909. Contributions made during 1910 will be acknowledged in the next annual report.

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The Prison Association of New York.

Officers for 1910.

President.

EUGENE SMITH.

Treasurer.

J. SEELY WARD, JR., 135 E. 15th St., N. Y.

Recording Secretary.

SAMUEL M. JACKSON.

Corresponding Secretary.

O. F. LEWIS.

Vice-Presidents.

WILLIAM P. LETCHWORTH,	FELIX ADLER,
Rt. Rev. DAVID H. GREER,	EUGENE A. PHILBIN,
ROBERT W. DEFOREST,	JACOB SCHIFF.

Executive Committee.

W. W. BATTERSHALL,	JAMES McKEEN,
B. OGDEN CHISOLM,	EDWARD B. MERRILL,
J. FENIMORE COOPER,	THOMAS M. OSBORNE,
JOHN H. FINLEY,	FRANK D. PAVEY,
AUSTIN FLINT, M. D.,	DEAN SAGE,
CORNELIUS B. GOLD,	DECATUR M. SAWYER,
WM. H. GRATWICK,	GEORGE G. SHELTON,
HENRY E. GREGORY,	GINO C. SPERANZA,
ALEXANDER M. HADDEN,	EVERT JANSEN WENDELL,
JOHN W. HUTCHINSON,	MORNAY WILLIAMS,
GEORGE W. KIRCHWEY,	JAMES WOOD.

Standing Committees for 1910.

On Law and Prison Discipline.

Messrs. WILLIAMS, GREGORY, KIRCHWEY, McKEEN, PAVEY,
PHILBIN and SPERANZA.

On Discharged Convicts and Parole Work.

Messrs. HADDEN, CHISOLM, GREGORY and SAWYER.

On the Library.

Messrs. JACKSON and FINLEY.

On Detentions.

Messrs. WOOD, OSBORNE, MERRILL, SAGE, SHELTON and
WENDELL.

On House.

Messrs. HUTCHINSON and FLINT.

On Finance.

Messrs. GOLD, JACKSON, McKEEN, SHELTON and WARD.

The Staff of the Prison Association.

Administration.

O. F. LEWIS, Corresponding Secretary,
D. E. KIMBALL, General Agent,
Miss F. G. AUCHAMPAUGH, Secretary to Corresponding
Secretary, Stenographer,
Miss BEATRICE STECKER, Clerk,
Miss ESTHER MIDLER, Clerk,
Miss BESSIE RATNER, Clerk.

Parole Bureau.

H. B. RODGERS, Parole Agent.
GRANT WILLIAMS, Assistant.
A. G. BENEDICT, Assistant.
T. B. COLLINS, Assistant.
SAMUEL ORNITZ, Assistant.
Miss H. H. LEVY, Stenographer.

Probation Bureau.

D. E. KIMBALL, Probation Officer.
Mrs. EMILY WALKER, Probation Officer.
EDWARD BERMAN, Investigator.
Miss NAOMI RIGBY, Stenographer.

Sage Foundation Study.

February-August, 1910.

A. E. BULLARD, Supervisor.
JAMES FORBES, Investigator.
SAMUEL BLUMENTHAL, Investigator.
SAMUEL ORNITZ, Investigator.
Miss SADIE BURG, Stenographer.

STATE OF NEW YORK

No. 42.

IN SENATE

APRIL 13, 1910.

Sixty-Fifth Annual Report

of the

Prison Association of New York.

HON. HORACE WHITE, *Lieutenant-Governor of New York:*

SIR: In accordance with chapter 163 of the Laws of 1846, we have the honor to present the sixty-fifth annual report of the Prison Association of New York, and to request that you will lay the same before the Legislature.

Respectfully,

EUGENE SMITH,

President.

O. F. LEWIS,

Corresponding Secretary.

To the Honorable the Legislature of New York.

FOUR questions relating to the treatment of crime and the inmates of correctional institutions in this State demand the special attention of your honorable body during the session of 1910.

1. Shall boys and young men between the ages of 16 and 21 who have been convicted of misdemeanors continue to be sent to penitentiaries and jails (or in New York city, to the workhouse), or shall there be provided by the State a thoroughly modern reformatory for misdemeanants?

2. Shall tramps and vagrants over the age of 21 continue to be sent to jails and penitentiaries (or in New York city, to the workhouse), or shall there be provided by the State for such tramps and vagrants an industrial farm colony for their "detention, humane discipline, instruction and

**Four
Questions.**

reformation?"

3. Shall the county jails and county penitentiaries of this State continue to be mainly centers of idleness and of education in crime, or shall there be introduced into such penitentiaries as do not now maintain industries, and into the county jails, productive industries, the products of which may be used for the benefit of the State or the political divisions thereof, or for the use of public institutions owned or managed or under the control of the State or the political divisions thereof?

4. Shall persons convicted of intoxication continue to be discharged, fined small amounts, or sent to the workhouse, in the city of New York, or shall the city of New York establish a comprehensive system of treating inebriates, with a view to checking the disease and to reforming the inebriate?

Prisons and other correctional institutions should not be primarily places of punishment. Punishment is necessary, but punishment is not all that is necessary.

The Purpose of Prisons. Society requires protection from the acts of evil-doers, but society should not be so much interested in punishing a wrong doer as in making him, through punishment, less likely to continue to do wrong. That society has the best protection that has

learned best how to prevent crime, and how to prevent its recurrence. Obviously it is better to prevent crime than to incur afterwards the very costly expense of treating the criminal.

Yet the State of New York and practically all the States of the Union have developed an expensive system of treating the criminal *after the crime has been committed*. This is a natural development, because the presence of criminals has necessitated measures for their incarceration and treatment.

Why not try to prevent many of these more serious crimes by beginning earlier our efforts to check the offender? No one will deny that such a course is reasonable. This granted, the questions proposed above may receive detailed consideration.

I.

“ Shall boys between the ages of 16 and 21 who have been convicted of misdemeanors continue to be sent to the penitentiaries and jails (or in New York city, to the workhouse), or shall there be provided by the State a modern reformatory? ”

Boys between the ages of 16 and 21 are rarely confirmed criminals. They are not regarded by the law of this State as criminals until they are 16. Between the ages of 16 and 21 they are perhaps in the most reformatory years of their life. Until 16 years of age they are regarded by the law as “delinquents,” and are tried in children’s courts, where children’s courts exist. What radical difference is there between a boy of 15 and a boy of 16, 17, 18 or even 19 years? They are all “boys.” Should they, while imprisoned, be forced to associate with hardened criminals?

The sanitary and moral conditions of many of our penitentiaries and jails have for years been graphically described in the reports of the Prison Commission and the Prison Association. Judge Chadsey of Rochester, in a conference of magistrates at Albany last winter, said: “We can send children under 16 years to an industrial school, but what am I going to do with the boy that is 16 years and one day old? I would not send him to the Monroe County jail. In Rochester we do not commit to jail at all. The jail is a worse place than the penitentiary.”



New Prisoner Entering — Being Searched by Officers

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The report of the Prison Association for 1909, calling the attention of the Legislature to the fact that 5,642 boys between the ages of 16 and 21 were confined in jails

Boys in Penitentiaries and Jails. and penitentiaries for the year ending September 30, 1908, said: "It is appalling to think that by a process of legal indifference and neglect, a boy may be sent for six months or a year to a jail, where he comes in contact with the most degrading society, where he is without schooling or work of any kind except the deplorable schooling in crime furnished by older and hardened criminals."

To do away last year with this condition, which probably no one in the State desires should continue longer than is necessary, a bill was introduced in the 1909 Legislature providing for a State reformatory for misdemeanants between the ages of 16 and 21. The bill passed the Assembly, but was not reported out from the Senate Finance Committee, due to the pressure for funds for other institutions.

During the year ending September 30, 1909, the number of boys between the ages of 16 and 21 in our penitentiaries and jails has increased by 200. Of these boys it is estimated that one-third were committed to county jails, were awaiting trial, or were not convicted of crime. What of the moral responsibility of the State and of its political divisions to boys between the ages of 16 and 21, who are thus forced into close contact and association with older, hardened criminals without labor or employment, in an atmosphere reeking with moral contagion? Is it possible to conceive of an atmosphere more dangerous to these young prisoners?

The reformatory for young misdemeanants is therefore vitally necessary for several reasons.

(a) *To imprison boys among hardened offenders is from an economic standpoint very costly and extravagant.* Society does not expose its members to smallpox. We quarantine cholera, diphtheria, scarlet-fever, and even measles. Why then should the State continue to allow pest-houses of crime to flourish in this State without the slightest social quarantine, and to return to society the inmates of such penitentiaries and jails still more infected with criminal tendencies and with hatred of society?

The simple question is: Why should the State develop criminals in one set of institutions, whom it must later at much

expense confine in another set of institutions, during comparatively long terms, *after serious crimes have been committed at society's expense?* Any business man would declare that this is the worst kind of business management. This fact appears no less serious because the State and society in general are the administrators and the sufferers.

(b) *To imprison boys among hardened offenders without industrial or educational facilities is to lose an important chance to make a workman out of an idler.* The huge army of the unemployed existing in this country is a costly and menacing problem. The old adage that "Satan finds work for idle hands to do" may be restated in the phrase that the unemployed and the unemployable man is a potential criminal. Furthermore, imprisonment seems inadvisable when it takes from a boy his employment, without providing that during his imprisonment he should have the chance to render himself less liable to be imprisoned again. Of all antidotes to crime, the chance to learn and the right to work are among the most important.

(c) *To imprison a boy among older and hardened criminals is to commit a grievous sin against the boy.* What would a community do to a man found guilty of teaching the young of that community debasing practices and wrong-doing? Why should any political division of the State through its penitentiaries or jails continue to do what the community would not tolerate in an individual?

For these and many other reasons the Prison Association again urges the Legislature to provide for the establishment of a State reformatory for misdemeanants between the ages of 16 and 21. In this connection, the Association would cite the action taken by the Conference of City Magistrates held at Albany on December 10, 1909. Twenty-one cities (outside of New York city) were represented by magistrates at the conference.

The following resolution was adopted:

WHEREAS, In the absence of institutions exclusively for the care, correction and training of male misdemeanants between 16 and 21 years of age such misdemeanants, if placed in an institution, must be committed to a jail or penitentiary; and

WHEREAS, A large number of young men between the ages of 16 and 21 are committed each year to jails and penitentiaries in New York (outside of New York), the number of such commitments during the year ending September 30, 1908, being over 4,400; and

WHEREAS, Such misdemeanants while confined in such jails and penitentiaries are compelled to associate with older, hardened and habitual criminals, and the influence of such association is not educational or reformatory, but, on the contrary, frequently injurious;

Therefore be it Resolved, That the city magistrates representing a majority of the cities of the State, in conference assembled, place themselves on record as favoring the establishment by the State of New York of a reformatory for male misdemeanants between the ages of 16 and 21 years; and

Be it further Resolved, That the Legislature be urged to make provision for the establishment of such a reformatory as early as possible.

(Signed)

JERRY F. CONNOR (Utica).

JOHN H. CHADSEY (Rochester).

WILLIAM C. HILL (Elmira).

II.

“ Shall tramps and vagrants over the age of 21 continue to be sent to jails and penitentiaries (or in New York city, to the workhouse) or shall there be provided by the State for such tramps and vagrants an industrial farm colony for their detention, humane discipline, instruction and reformation? ”

Vagrancy is a correctional and charitable problem, national in its scope, yet its treatment has been heretofore essentially local. Vagrancy is already costly and expensive to society and will continue to become more widespread and more costly unless general and thoroughgoing measures are taken to reduce it.

The State Board of Charities of New York estimates in its current annual report that tramps and vagrants cost the taxpayers of this State two million dollars annually.

Vagrants and tramps prey upon society, form a considerable proportion of the population of charitable and correctional institutions, spread disease, and are thoroughly unproductive from an economic standpoint.

The great majority of vagrants are less than 30 years of age and are criminals in the making. The army of tramps and vagrants is constantly increasing by the influx of young men leaving home to “go on the road.” The army is decreased almost entirely at the expense of society, in that thou-

sands of men find their way into correctional institutions, into almshouses, into crime, into hospitals, and into the potter's fields.

Therefore, the press and the public are practically unanimous in desiring that vagrancy shall be reduced. Short sentences to correctional institutions are futile; jail treatment is often a farce; more than one penitentiary in this State has been called a “winter resort for tramps.” Charity can do but little at present with this unproductive, anti-social class.

In 1909 a farm colony bill was introduced in the Legislature. Like the reformatory bill, it passed the Assembly, but was not reported out by the Senate Finance Committee. While it was under consideration by the Legislature the bill attracted a remarkable amount of favorable attention from the press throughout the United States. The newspapers pointed out editorially that vagrancy is a blight, and the demand was emphatically made that the vagrant should be made to work, and should be taught that "man should earn his bread by the sweat of his brow."

Such a work colony is provided by the industrial farm colony bill now before the Legislature. It is provided that not only agriculture but industries shall be taught at this colony. The sentence shall be indeterminate, not to exceed eighteen months in the case of a first offense. Through the establishment of such a colony, tramps and vagrants will not only have the chance to learn how to work, but many other tramps will be deterred from entering or staying in the State of New York.

Several arguments are likely to be advanced against the establishment of such a farm colony.

Farm Colonies — The first argument is that it is an untried institution. This is so in the sense that no similar colony has been established in this country. However, it is a conspicuous fact

Pro and Con. that wherever in the United States reasonably hard work has been introduced into correctional institutions, such institutions and the locality where these institutions are located are shunned by tramps and vagrants. Furthermore, European countries have for many years maintained similar farm colonies, and have found that a considerable proportion of the inmates have been restored to industrial life.

Another argument is that the establishment of such a farm colony in the State of New York will not cure vagrancy, but simply drive the tramps into other States. In view of the fact that it now costs the taxpayers \$2,000,000 annually for our army of tramps and vagrants, it is doubtful if such an exodus into adjacent States will seem to New Yorkers a serious ethical question. Rather, will not such an exodus tend to stimulate other States to provide similar colonies? New York may well precede other States in the establishment of a farm colony, rather than be forced to establish farm colonies because of the



Clerk—Entering New Prisoner on the Record Book

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Chaplain — Examination Regarding Religious Instruction

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inundations of tramps from other States where more rigorous measures may in the interval be established.

A third argument is that such a colony is expensive, since there are already facilities for the imprisonment of vagrants and tramps. The answer is that the absence of such a colony is even more expensive, since the present short terms of imprisonment neither deter nor reform. The State should not go on the principle of the tramp himself, namely: to seek to get something for nothing. The State of New York cannot reduce vagrancy and reform the vagrant without expense to itself. If it is argued that the cessation of commitments of tramps and vagrants to jails and penitentiaries will reduce the penitentiary population, it is to be replied that the penitentiary population should be reduced, because a penitentiary should not be a so-called "winter resort for tramps."

Furthermore, such reduction of the penitentiary population would give greater opportunity for the commitment of prisoners to penitentiaries who are now confined in jail. The primary purpose of the county jail is not to serve as a place of imprisonment for convicted prisoners, but as a place of detention for prisoners awaiting trial.

The experience of European countries shows that such labor colonies are maintained at a low per capita expense. We should not deceive ourselves into believing that such institutions in this country will probably be self-supporting. On the other hand, our prison population tends to increase proportionately to the population of the State, and it is far better to establish modern institutions on modern methods than to build additional institutions on ancient methods.

A fourth argument is that such a farm colony may become a prison for penniless wanderers whose only crime is their poverty. But the proposed colony would not be used for the reception of any new class of offenders. The colony would be only a different institution for a certain class of offenders now committed to penitentiaries and jails. Furthermore, it is provided in the proposed law establishing the farm colony that no person shall be committed to such colony who shall satisfy the court or magistrate by evidence, other than such person's own testimony, that he habitually supports himself through lawful employment.

Even if by error an honest unemployed workman, seeking employment, were committed to such a colony, he has the

chance to bring before the board of managers his proof of habitual employment; the said board of managers have power to parole or discharge any inmate at any time. The chance of the commitment of a workman under these conditions is very slight, while the advantages of having such a colony for the compulsory segregation of vagrants and tramps are obvious.

III.

“ Shall the jails and penitentiaries of this State continue to be mainly centers of idleness and of education in crime, or shall there be introduced into such penitentiaries as do not now maintain industries, and into the county jails, productive industries, the products of which may be used for the benefit of the State or the political divisions thereof, or for the use of public institutions owned or managed or under the control of the State or the political divisions thereof?”

The Prison Association takes no uncertain stand on the question of prison labor in correctional institutions. The State Constitution of 1904 provides (Art. 3, section 29): “The Legislature shall by law provide for the occupation and employment of prisoners sentenced to the several State prisons, penitentiaries and jails of the State.” Under the same section no person in any State correctional institution shall be allowed to work while under sentence thereto at any occupation whereby the product of his work shall be contracted for or sold, except that the products of the labor of convicts may be disposed of to the State or any political division thereof, or to any public institution owned or managed or under the control of the State or any political division thereof.

Today it is seen that this constitutional plan of prison labor, which has now been under trial for some thirteen years, has resulted in compelling penitentiaries to give up their industries, and it has been found that in no prison have all employable prisoners been kept regularly at work at so-called hard labor for eight hours or more per day.

It is not to be expected that this constitutional restriction will be removed at any early date. Nevertheless, it is of vital necessity that prisoners should be employed. A shocking state

of idleness prevails in most of the county jails and in many of the penitentiaries of this State.

If the constitutional provisions cannot at present be changed, a development of the industries in the State prisons and the extension of such industries to penitentiaries seems obviously of great importance. The Prison Association consequently endorses the statement contained in the annual report of the Prison Commission for 1910, that under the present plan governing the use of prison products, probably the best remedy for the existing idleness in the penitentiaries is for the State to take them over and place them under the supervision of the Superintendent of Prisons, who would establish industries and find them a market, as he now does with the products of the State prisons. Until this is accomplished the Prison Association recommends the establishment of industries in the existing penitentiaries, to be under the direction of the Superintendent of Prisons, the products to be marketed by him, some of the simpler industries being transferred from the State prisons to the penitentiaries.

IV.

“ Shall persons convicted of intoxication continue to be discharged, fined small amounts, or sent to the work-house in the city of New York, or shall the city of New York be permitted to establish a comprehensive system of treating inebriates, with a view to checking the disease and to reforming the inebriate ? ”

In the whole State of New York there is no adequate provision for treating intoxication and inebriety. Throughout the entire United States almost 30 per cent. of the total commitments to penal institutions are for intoxication. Various estimates are made as to the extent to which intoxication is a cause of crime. It is sufficient to say, without quoting statistics, that among the causes of crime, drunkenness is perhaps predominant.

In New York State alone, in 1909, 18,941 men and 3,447 women were committed to jails and penitentiaries and to New York city institutions on the charge of public intoxication, and nearly one thousand more men and women were

committed to institutions on the charge of being drunk and disorderly. As in the case of vagrancy, so with intoxication, no thoroughgoing measures have been adopted in this State for its reduction. The Prison Association, therefore, indorses Bill 259, an act to amend the Greater New York charter in relation to the treatment of public intoxication and inebriety.

This bill embodies a program urged by the State Charities Aid Association, which would provide that first offenders charged with intoxication should be released without their appearance in court, and that all cases of intoxication that are not hardened and fixed in their habits should be released under the supervision of a probation officer. In cases which do not respond to such supervision a fine should be added, to be paid in instalments to the probation officer. No person should be committed to any institution until every means for his reformation has been exhausted. When persons must be removed from their surroundings, they should be committed on indeterminate sentences where they can be isolated from alcohol, and be given medical treatment and care, and be supplied with an abundance of healthful work. The workhouse or any corresponding institution should not be used for the commitment of inebriates until the person shows decided criminal tendencies in addition to his habitual use of alcoholic liquors.

Paroled Prisoners and Discharged Prisoners.

One of the special functions of the Prison Association, as provided by its charter, is the assistance of reformed prisoners, after they are discharged, by affording them the means of obtaining an honest livelihood and sustaining them in their efforts at reformation. The welfare of society demands that the discharged prisoner should not revert to crime. How shall such reversion be prevented, not only on the release of the prisoners, but afterward?

Men paroled from Elmira Reformatory and Napanoch Reformatory must report to their respective parole officers at least once a month for six consecutive months. Men paroled by the Board of Parole from State prisons report by letter monthly to the Superintendent of State Prisons at Albany. In parts of the State, other than New York city, police captains, police chiefs and other individuals frequently act as parole



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agents for Elmira and Napanoch Reformatories. The number of parole agents for reformatory prisoners and State prisoners is far below the number required.

It is a self-evident but important fact that approximately as many prisoners are discharged from correctional institutions as are committed to them. These inmates on release either amalgamate with society and become a part of its army of workers, or else they continue their life of crime. It is futile to expect that even the best system of administration of State prisons or reformatories will accomplish large results in the reformation of discharged prisoners unless the parole system is efficiently maintained, and for a period sufficiently long to achieve real influence with each individual on parole.

The Prison Association would recommend the development of a centralized parole system with a central head and with a sufficiently large number of parole agents to cover the State and give adequate time to the individual cases of the men paroled. This system should supervise men paroled from State prisons and reformatories. This development of the parole supervision of the State into an organized system would entail a considerably increased annual expense for parole officers. Yet, as a leading official of this State recently said, "Why spend \$200 a year on reformatory treatment of inmates and then about \$1.50 for their parole supervision during six crucial months in their lives?"

In short, the Prison Association would call attention to the extremely disproportionate emphasis placed on reformatory influences *within* the prison walls, and the extremely inadequate reformatory influence brought to bear upon paroled men *after release from prison*.

In this connection the Association has pleasure in reporting that through the financial assistance of the Sage Foundation, the Association is now conducting a careful study of the after lives of several hundred men paroled to the Association from Elmira Reformatory. It is expected the results of this study will present in greater detail than has any previous study in the United States the various factors in the after lives of reformatory inmates. The study will show particularly to what extent men released from Elmira Reformatory and living in New York revert to crime.

One important feature of the parole work as conducted by the Prison Association for Elmira Reformatory and Napanoch



Deputy Warden — Giving Prisoner Instructions.

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Warden — Giving New Prisoner Rules and Instructions

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The Problem of Crime.

THE problem of crime cannot be ignored. Few people wish to ignore it. It is a national problem. No one can tell how many millions or perhaps billions of dollars a year crime costs the American people; that our "crime bill" is at least a billion dollars annually is probably a conservative estimate. The cost in ruined human lives, in wrecked families, in disease and death cannot be expressed in dollars and cents; each year scores of thousands of families are involved.

The Prison Association of New York has been in existence since 1844. It was founded in that year by men of excellent reputation, for three purposes: (1.) The

The Problem. amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses. (2.) The improvement of prison discipline and the government of prisons, whether for cities, counties or states. (3.) The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

That was sixty-six years ago. The Prison Association has had an unbroken and useful existence through nearly three score years and ten. To-day its work is extended, not only to meet the modern conditions of city life, but to deal with the probation of offenders of sixteen years and over and with more than a thousand young men paroled each year to the Association from the reformatories at Elmira and Napanoch; to help with material relief and with counsel the families of discharged prisoners; to play an important part in securing good legislation and in defeating bad legislation in connection with the treatment of criminals and the administration of prisons; and to furnish to the citizens of New York State accurate information as to the problems of crime within this State.

In a single phrase, the Prison Association may be said to stand for the "square deal" for the prisoner. The day of

Our Field. gross physical abuses in prisons is over, but the day of poverty, of miserable living conditions, of mental abnormalities, and of crimes is not over. With each year the field of the Association

broadens, limited only by the limits of delinquency in society to-day. This means that the Prison Association is concerned with the whole gamut of human life and of the life of the community, in so far as the problems of delinquency develop within that life. The Association must, however, because of its limited funds, restrict itself to certain definite fields of endeavor, of which the following pages speak in detail.

We are deeply concerned as to each individual delinquent. Equally are we concerned with the crime problems of a whole State. Two illustrations will stand for hundreds.

A man was in Sing Sing Prison. His wife died, poverty-stricken, in New York city, leaving two little children, brother and sister, ragged and forsaken. The poor

Protecting a mother, working herself ill, had succeeded in **Broken Family.** carrying industrial insurance for \$158, to protect her waifs in case she should die. Was it a coincidence that the besotted brother hired an undertaker who rendered a bill for funeral services amounting to \$154? This Association learned of these two little children, rescued them from their wretched surroundings, and rescued the woman's insurance money also. Brief legal proceedings, undertaken free of charge by a lawyer friend of the Association, reduced the exorbitant bill of the undertaker to \$77; and the Association was able to inform the father at Sing Sing of the existence of the remaining \$81, which, with his consent, we were able to devote to the care of the children in comfortable homes.

That was justice for one broken family, friendless save as we learned of their sad fate. It is the simple story of one prisoner's family among hundreds. Turn now to the following state-wide problem, just as distinctly demanding the attention of the Prison Association.

Revolting conditions of idleness and vice abound in many of the county penitentiaries and jails of this State. At the very moment when this report is being read by

Vice, Idleness our friends there are undoubtedly confined in **and Youth.** these jails and penitentiaries at least 5,000 boys between the ages of 16 and 21. *Each one of these boys is bound straight toward a criminal life unless checked by powerful influences. Why? For at least three cogent reasons:*

1. In county penitentiaries and jails the population is composed largely of habitual and vicious criminals. With them the boys and young men must mingle. They have no choice. If there are two things in the world that make for crime, they are idleness and vice.

2. Boys between 16 and 21 are in the most impressionable years, most in need of wise guidance, and in this case most unlikely to get it.

3. There are no reformatory influences in county jails and penitentiaries. It is the irony of our laws that a boy must be bad enough to be convicted of a felony before he can be sent to a State reformatory (if he is over the age of sixteen). So the lesser criminal, the boy who has actually not sinned so grievously in a legal sense, is condemned to a county school of crime. This terrible condition, prevailing already for years in our penitentiaries and jails, continues to be a matter of keen concern to our Association.

Co-operating with other societies, we helped last winter to draft a bill providing for a State Reformatory for Misdemeanants. On page 13 of this report will be found our recommendation to the Legislature. The bill was not reported out of committee.

This legal but unjust discrimination, by which schools of crime are maintained for the lesser criminal, and for the greater criminal schools of reformation, is thoroughly

The Story of the Ostrich Feathers. wrong. Sometimes a brief story preaches better than a sermon. It is told of a certain man arraigned in court on a charge of grand larceny (stealing property valued at twenty-

five dollars or over), that he was charged with having stolen from a department store ostrich feathers valued at forty-four dollars. This constitutes felony, punishable by imprisonment in State prison. But lo! the prisoner contended that when he stole the feathers, it was bargain day at the department store; that these feathers had been marked down from forty-four dollars to twenty-four dollars; that the theft was therefore only petit larceny; that therefore the prisoner was far less a criminal and should not be sent to State prison, but to a lesser correctional institution, and for a shorter term.

Today it is much more clearly seen than in the early days that the punishment should fit not the crime, but the criminal.

Shall the Punishment Fit the Crime or the Criminal ? Crime is an individual problem, and punishment is not the sole or even the most important purpose of imprisonment. It is not necessarily imprisonment that should follow crime, but certainly justice. To see that justice is done to society, to the criminal, to the criminal's family, is one important function of the Prison Association.

Criminals may no longer be handled like bags of meal or bales of cotton. The science of penology is not a storage-warehouse problem. For a generation the principle has been recognized, each year more widely, that the best thing for society and for the criminal is the reformation of the offender. Elmira Reformatory, established in 1876, was the first of some fifteen reformatories for young men to be established in this country, but these reformatories do not by any means measure the spread of the reformatory principle. Practically all institutions used exclusively for juvenile delinquents are reformatories. In many States the administration of State prisons is also developing along reformatory lines, often hampered seriously by the antiquity of prison buildings, by the small acreage of the plants, by the large population of the prisons and by the lack of sufficient and adequate prison structures.

Since crime is an individual problem, and since this problem recurs in scores of thousands of cases each year in the State of New York, the field of the Prison Association ranges from close attention to the welfare of the individual offender under our care to problems of administration, prison construction and legislation, often not only state-wide, but of national significance. The field of the Prison Association may be briefly outlined as follows:

1. The reformation of the criminal.
2. Supervision of hundreds of young men on probation or parole.
3. Employment, and when necessary food, tools, shelter and other aid for discharged prisoners.
4. Probation for first offenders.
5. Necessary aid for prisoners' families.
6. Inspection of prisons.
7. Improvement in prisons and in prison discipline.
8. Needed legislation.
9. The protection of society against crime.
10. Protection for those unjustly accused.



New Prisoner Being Photographed in the Bertillon Department

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The Reformation of the Criminal.

IMPRISONMENT has been for centuries the principal method of punishing crime. Imprisonment is to-day employed for several purposes:—punishment; the reformation of the criminal; the protection of society against crime; and as a deterrent to others committing crime.

Why Imprison Men? Vengeance is futile as a reformative influence. Mere imprisonment to protect society does not reform the criminal. To deter others from crime does not necessarily deter the criminal himself from further commission of crime. There remains the effort to reform the criminal.

Reformation should take place for at least three reasons: for the sake of the man himself; for the sake of his family; for the sake of society.

The value of changing the criminal into an honest and self-supporting man is self evident.

The value of saving a man, once a criminal, for his family needs no argument either.

The value to society of changing a destructive force in society into a productive force is likewise obvious.

How can this be done? This has been a vital question, and in reformatories has been a conspicuous effort, particularly in the United States, for more than thirty years. The establishment of several movements looking to the reformation of the criminal are now specially prominent:—probation for first offenders; juvenile courts for children; reformatories and other correctional institutions with reformatory features for convicted prisoners; the indeterminate sentence for all prisoners except those convicted of murder; the parole system for those conditionally liberated as a result of the indeterminate sentence; the after-care of the released or discharged prisoner; reform in criminal law and in criminal procedure.

The first and leading purpose of the Prison Association is the reformation of the criminal. There is no royal road to the rehabilitation of the offender. The

Reformation the Goal. descent to criminality is easy; the ascent from criminality is hard. In the hour of need, or rather in the months and years of need, the offender, the prisoner, the criminal, requires a strong,

wise and constant friend at the time when he himself is apt to be most friendless. Hence the Prison Association.

A paroled prisoner is one who is allowed to serve the latter part of his sentence outside of prison walls. This seems a very common-sense principle. Parole gives a chance to the convicted offender to make good before his sentence has expired. For months, often for years, the paroled prisoner lives in relative freedom, subject only to supervision by parole agents. It is a period of probation subsequent to imprisonment.

Each year about 1,000 young men are paroled by Elmira and Napanoch Reformatories to the Prison Association of New York. These young men come to our

A Regiment of Paroled Men Each Year. parole bureau in groups of from forty to seventy-five between the twenty and the twenty-fifth of each month. They are just out of prison. They do not look like crim-

inals in the accepted sense. They are largely the products of the city streets. They have been members of street gangs and have grown up largely without good influence. The reformatory has trained them in discipline, in industry and scholarship. Now they are conditionally released and this Association is to be their supervisor for six months or more.

Our Parole Bureau has a staff of five efficient men, acting as parole agents. These men have been carefully chosen because of their wide sympathy, their capacity for sensible, sympathetic supervision and for their integrity. They are the ones who act as the friends, the counsellors and often the

What Parole is. disciplinarians of the young men on parole. The paroled men must live upright lives during the parole period; they must keep good habits and good company, and report in writing and in person at least once a month to the Prison Association; must not change their employment without our permission, and in general they must remain under our supervision.

No one can meet these young men as they arrive in New York without being profoundly impressed with the possibilities for good or for evil within them. They

A Crucial Time. are at the critical point of their lives. They are still young, not too old still to make good use of their lives. On the other hand, they have gone a considerable distance along the road of

crime. Not far in the distance looms the State prison, if they are convicted of further offence. The responsibility of this Association for their reclamation and rehabilitation, if possible, is great.

What per cent. of the thousand young men who come to us this year will reform? We cannot tell. For years, we have believed that about seventy-five per cent. of the

Do Prisoners paroled men passed satisfactorily through their
Reform? six months or more of parole and received their "absolute release," as it is called, which

means that they have completed their parole period properly and are no longer prisoners of the State. To what extent these young men revert to crime in later years, it has been impossible for us to learn with definiteness, because of the absence of funds for such research.

In the winter of 1909-1910, the Sage Foundation appropriated to the use of the Prison Association the sum of \$2,500 in order that the most careful study yet undertaken in the United States might be made of the after-lives of men paroled from prison. This study is now rapidly approaching completion. In this annual report the

The Sage
Foundation
Study.

results of the above-mentioned study cannot be anticipated. It is sufficient to say that at the moment the Prison Association deems it far more necessary to conduct adequately such an investigation that will give for the first time a definite basis of knowledge regarding the value and efficacy of reformatory and parole work, than to make even approximately accurate estimates of the percentage of reformation in the after-lives of paroled prisoners.

Each month each man on parole must report by letter to the Superintendent of Elmira and Napanoch Reformatory.

What One These letters are presented first to the Prison
Boy Wrote. Association. A typical letter written just before a young man received his absolute release is the following:

"DEAR MR. SCOTT: This being my sixth report, I hope you will find me worthy of an absolute release. I have been careful in making my reports as well as my behavior and can safely say that I will continue to be so as long as God permits and which can end by him only by death.

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New Prisoner Being Bathed and Receiving Institutional Uniform

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ments to the father for a suit already purchased. "I stay at home nights," continued the young man, in his letter, "except when I go walking with my father."

Yet this letter was practically a falsehood from beginning to end. The lad was but twenty years old and had nevertheless

shot and killed a young woman while firing with intent to maim a young man of **Twenty Years** whose attentions to the girl he was jealous. **Old, Already** Upon being searched after arrest for violation of parole, our parole agent found upon the person of the boy a fully loaded and up-to-date revolver, and also part of the proceeds of a burglary, which were subsequently identified by the occupant of the premises burglarized. **a Murderer.**

What is the great lesson of this Parole Bureau of ours, where tragedy, ambition, despair, enthusiasm, determination, sullenness and a score of other human

The Lesson attributes are manifested hourly by the **of the Parole** released prisoners? This—that human **Bureau.** lives and property, human happiness and human progress are at stake to an extent seldom appreciated by any save those who deal with the young returned criminal.

These young fellows will do one of two things. They will make good, or they will make good "crooks;" that is, they will become upright or they will revert to crime. One criminal may mean in the future the destruction of lives, the theft of valuable property, or the destruction of the property of others amounting to thousands of dollars. Is not this worth preventing? *Must it not be prevented if possible?*

The released prisoner is not as a rule a friend of society. He is in his own language "sore"—anti-social. Often on his release he is forced to meet life again with

How Can We the odds heavily against him. While he **Save Them?** was in prison, he was not a menace to society, except potentially. But many a young fellow in prison is biding his time. Now, on parole, he has every temptation to take out of society what he is only too apt to believe society took out of him. It is this conflicting psychological condition in those whose minds are frequently not normal, and generally morbid, that the Parole Bureau

faces. How shall we save these young men from themselves and from crime? The Prison Association is thoroughly convinced that reclamation is possible in a great majority of instances. Recently there came to us a man from one of the central states with the familiar yet ever pathetic tale of a term in State prison. With tears in his eyes, he said that he was on the verge of committing suicide. It was preying upon his mind that one of the lesser prison officials in the State from which he had come had told him upon his release from prison that one of two things remained for him to do in life — to return later to prison as a convict or to commit suicide.

This man was morbid. He claimed to have been unjustly dealt with. He needed a friend and a job. He happened to come to us just as the "Round Table Club"

The "Round Table Club" was being organized by the Prison Association. The "Round Table Club" is a kind of big brother movement for big, erring brothers. **of Big Brothers.** On the first Thursday of each month some

thirty business and professional men gather at the rooms of our Association. They give their services as the active friends of men paroled from reformatories and prisons. One of the "Round Table" group has four paroled men at work in his factory. Another member of the Club has several law cases pending in behalf of his clients, who are paroled men. Almost any one of the members of the "Round Table Club" can be called upon at once by telephone and will respond in an emergency when asked to do so by our Parole Bureau. One member of the "Round Table," who is head-worker in a settlement house, has at this moment several Elmira boys staying with him while finding work. This Club is but a few months old, yet already we find that our Parole Bureau is acting as a kind of central station for the distribution of the more eligible reformatory boys to the active and sympathetic care of these gentlemen, whose work with the young men is done so quietly that probably their most intimate friends know little or nothing of their practical altruism.

What of the young man who violates his parole? As above stated, we were obliged to return last year ninety-two young men to the reformatory for violation of parole. The progress of each case is practically the following:

Let us suppose that John Smith has not reported during the five days of leeway that he is allowed each month. One of our Parole Bureau staff investigates, and finds that John Smith has failed to appear at work for two weeks. Inquiry at John Smith's home shows that he has disappeared.

**John Smith,
Violator of
Parole.**

Then one of our parole agents, a very able and sympathetic police sergeant, goes in search of the lad and within a few hours or a few days brings him in. Meanwhile, all information that can be obtained in the case is gathered. The young man, now accused of violation of parole, is given a hearing by three members of the Association's Parole Bureau, who sit as a committee in John Smith's case. The results of the investigation are presented, following which John Smith has the chance to present his side of the case. The three members of the committee are the Corresponding Secretary, the Chief Parole Agent and Sergeant Williams of the Parole Bureau. Two of the three members of this committee must agree whether to return the lad to the reformatory or to release him on further parole. Thus the boy's interests are safeguarded by a group whose first desire it is to save the boy if possible.

In all efforts at reformation, it must never be forgotten that after all, these offenders have committed crime. Rarely is a man sent to prison who is innocent of the offence charged. Frequently the conviction is on a charge far less serious than the crime actually committed by the offender. The

**Sense Versus
Sentimentality.**

The majority of these young men, growing up in the streets of New York, have gained a contempt for the law, a recklessness of spirit, have profited little by the educational facilities of this city, are illiterate, have few home ties, have never been subject to discipline except for their training at the reformatory, and have had little to influence them to lead decent or useful lives. The lessons they must learn are that "man must earn his bread by the sweat of his brow" and that society has rights which the individual is bound to respect. It is a weak and sentimental attitude of mind that coddles the offender, either on trial, in prison, or on parole. The men on parole must learn these lessons; they must take their medicine, but the medicine must be of a kind to do them some good.

The parole system of this State needs wide extension, and it needs general public support. As an effective part of the correctional system of this State, it is still in

Extend the its infancy. It is the conviction of the Prison
Parole System. Association that all reformatory prisoners and State prisoners with the possible exception of those convicted of murder in the first degree should eventually have the privilege of a parole period outside of prison walls. Such a parole system, to fit effectually into our modern method of dealing with the offender, must be well supervised and be limited only by the boundaries of the State. Such a parole system must be centralized and thoroughly organized. It should not be left to police chiefs in the country districts to be the only parole agents of conditionally liberated prisoners.

For every paroled prisoner in this State there should be a supervision at least as effective as that now maintained in Greater New York in the cases of men

Supervision an paroled from the reformatories. There seems
Essential of to be no intrinsic reason why supervision by
Reformation. the same staff of parole agents should not be exercised over men paroled from the reformatories and from the three State prisons. Such a supervision, to be effective, will be a considerable expense to the State, or to private philanthropy. Yet, in the absence of a consistent State-wide parole system, it is undoubtedly true that reversion to crime on the part of men from the reformatories and the State prisons costs the community many times as much as would be expended by the most efficient system of parole.



Prison School — Examination and Grading by the Professor

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The Value of Probation.

PROBATION is a most valuable and effective means of reforming offenders. Probation means that a person adjudged guilty of an offence is allowed to remain at liberty under supervision instead of being sent to prison, but with the provision that if at any time

Probation — during his period of probation he conducts
a Necessity. himself in an improper manner he may be at once brought by the probation officer before the court and by the court sentenced to imprisonment for the original offence.

Probation as a principle seems so full of common sense that it hardly needs argument in its favor. Massachusetts particularly has proved the value of probation. In New York State, the law provides not only that a system of probation shall prevail in each county of the State, but that there shall also be a State Probation Commission, supervising the work of the probation agents throughout the State, gathering data regarding their work and reporting to the Legislature annually upon the probation work of the State.

The difference between probation and parole is frequently misunderstood. The terms when properly used are clearly differentiated. Probation is the term used

Definitions. in connection with the release of an offender under suspended sentence and without imprisonment, but under the oversight of a probation officer for a definite period and for the purpose of reclaiming him from evil courses.¹ Parole is the term used in connection with the conditional release from a penal or reformatory institution after a period of incarceration therein.¹

In short, probation occurs before imprisonment and after conviction; parole occurs after imprisonment and before absolute discharge from the custody of the prison authorities.

¹ Definition of State Probation Commission, 1905.

The Prison Association has for many years maintained an experienced probation officer in the Court of General Sessions of New York county. During the year 1909

The Prison Association in Probation Work. the judges in General Sessions referred 589 cases to our Probation Bureau for investigation and report. During 1909, 185 persons were placed on probation in the care of the Prison Association. These young men,

practically all convicted of felony and yet enjoying the privileges of suspended sentence, are carefully supervised by the Prison Association. Each Thursday evening many of them report in person to the probation officer of the Association at the Association's office and during the week others report, also in person. There are those who for one reason or another are allowed to make fewer reports or are allowed to find employment elsewhere than in New York city. They report by letter.

From the journal of Mr. Kimball, the Association's general agent and probation officer in the Court of General Sessions, we would present to you several striking examples of the use of probation in the treatment of crime. They are stories from daily life, known to but few beyond the court-room and the Association's office, yet they often sound the depths of pathos, and sometimes the depths of crime.

A young man, who had been employed as a waiter in a restaurant was tried and convicted of assault in the second degree, which is punishable by five years in

What Would You Have Done? State prison. The conviction was a surprise to everyone in the court-room, with the exception of the twelve men in the box.

The evidence in the case was to the effect that the complaining witness, a negro, ordered some food, complained of the quality, and tried to leave the restaurant without stopping at the cashier's desk to pay the bill. The young girl who acted as cashier sprang from her chair and tried to keep him from going away. Because she was a cripple her efforts were not very successful. The negro kept going, dragging her along with him, crying for help. Annoyed by her persistence, the negro turned on her and began beating and kicking her. Then the defendant, the young waiter, came to her aid with a club, but not until the negro had inflicted serious injuries on the young girl, as a result of which she was confined in the hospital for eight months.

The assault was absolutely justifiable, but the complaining witness swore that the young girl assaulted him with a cleaver, when as a matter of fact she was such a weak little thing she could hardly have lifted it had she tried. When the waiter was convicted she piteously pleaded to be sent to prison in his place, saying that he only did what any man would do to help a crippled girl.

Investigation showed that the boy had always borne a good reputation and business people in the neighborhood were surprised to learn that he had been convicted. He was recommended as a good subject for probation, and Judge Rosalsky kindly released him and placed him in the Prison Association's care.

A young married man was found in the Tombs, charged with Grand Larceny in having stolen a quantity of handkerchiefs from his employer. He sold the goods

Probation to a number of Syrians at very low prices
vs. Prison. and used the money to live in better style than his wages permitted him to. Investi-

gation showed that he had never been charged with or convicted of crime before. He had an excellent home where he lived with his wife who was in a delicate condition. During his imprisonment awaiting the action of the court his wife gave birth to a child. His friends and relatives got together and made restitution to the satisfaction of the complaining witness. The Judge suspended sentence and placed him on probation.

If the law had been permitted to take its course in the usual way, this young man would have been a State's Prison convict, his wife would have become a charge on the community, the employer would have lost about \$400 in money, and it is just possible that one more professional criminal would have been on the community in a short time. Probation is the best remedy for cases of this kind, as has been demonstrated for some years.

An instance is now given of how probation applies even in the case of a second offender.

Samuel L——, 33 years of age, had been convicted in 1906 of larceny and sent to the penitentiary for a year. In 1909 he was again convicted of larceny and sentenced

Is It Ever to the penitentiary for a year, and at the
Too Late time of his arrest on the last charge a cheap
to Mend? watch was found in his pocket for which the
detectives found an owner. Therefore a

bench warrant was lodged at the penitentiary and on his

release he was brought to the Tombs to be tried for having stolen property on his person.

He pleaded guilty and the case was referred to the Prison Association for investigation. We found that he had, prior to his conviction, and during the time between the first and second conviction, worked as a restaurant chef, making very good wages and having excellent references from restaurants and hotels. During his idle hours he mingled with a crowd of gamblers and petty thieves who took advantage of his good nature and led him into crime.

We therefore advanced to the court the argument that he should be given a chance, for the reason that he had been sent to prison, discharged, and without having had any chance to show whether a change in life had been brought about by his imprisonment, was immediately arrested and brought to court. The Judge refused to take our view of the case and sentenced him to a year in the penitentiary. We asked for time to present further argument, which the court graciously granted. Further investigation showed that the owner of the property had no desire to prosecute; a former employer offered him a position in his kitchen, and from almost daily contact with the prisoner, we became convinced that he was not a criminal at heart, but very weak and easily influenced by bad companions.

During his long imprisonment of three months in the Tombs he had a number of epileptic fits. He repeatedly told us that if he was sent back to the penitentiary he would certainly commit suicide. We told him to be patient, but frenzied by the delay he tried to beat his own brains out by butting his head against the Tomb's walls twice before a keeper could be summoned to unlock the cell door and have him placed in a strait-jacket. One of the Prison Commissioners of New York State joined us in asking for mercy, and finally Judge O'Sullivan agreed to revoke the former sentence and let the man have one more chance.

In less than a week he had a place as chef at \$75 a month and is now earning \$125 and leading an exemplary life. The probation period in his case is two years and six months, and if within that time we find that he is consorting with dissolute characters, it is within the court's power to send him to prison.



New Prisoner on His Way to Workshop — Dressed in Prison Uniform

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Foreman — Teaching New Prisoner in Workshop

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All that has been said regarding the importance of efficient parole work may be repeated as to the importance of good probation work. The law must not be held in contempt. Probationers must not be allowed to believe that they have successfully eluded the law by being placed on probation or that they have succeeded in receiving a far slighter punishment than they know they deserve. Effective probation depends upon several things. The court must make a wise choice in those placed on probation; the probation officer must be efficient, sympathetic and wise. The period of probation must be long enough to afford a real trial of the probationer's capacity for reformation; the probationer must be seen and interviewed sufficiently frequently by the probation officer to allow the probation officer to form, in a satisfactory degree, an acquaintance with the probationer; the probationer's home environment and his companions must be known to the probation officer, not at one time, but frequently; the probation officer must render, at least monthly, reports to the court of probationers in his charge. The above features of probation work are characteristic of the supervision exercised by the Prison Association over its probationers.

The Prison Association, though greatly limited as yet in its probation work, stands steadfastly for a wide but wise use of probation in all the criminal courts of the State. At present, the probation work of New York city is to a large degree unsystematized. In the Court of General Sessions, probation officers are maintained by the Prison Association, the Society of St. Vincent de Paul, and by the Jewish Protectory and Aid Society.

In the Court of Special Sessions of the county of New York, the Children's Aid Society maintains a probation officer, who has five assistants assigned by the police department. There is also an official salaried woman probation officer.

In each of the nine Magistrates' Courts of Manhattan and the Bronx, there is stationed a probation officer assigned by the police department and a salaried woman probation officer. The probation work of the Magistrates' Courts has been often severely criticised not only by individuals, but by several commissions appointed by the State to examine into the pro-

bation work of the city of New York. In Brooklyn, Richmond and Queens the probation work in the County Courts and in the Court of Special Sessions, part 2, is done by both salaried and volunteer probation officers.

The history of probation work in New York State is practically but of the last decade. In 1901, the first probation law was introduced into the New York

A Decade of Probation. Legislature by the New York Prison Association. It provided for the appointment of probation officers by courts of original jurisdiction of criminal actions. In all cities of the State, it outlined the duties of probation officers. Another law passed in 1901 amended the code of criminal procedure so as to authorize the placing on probation of persons over the age of sixteen years. Two years later, in 1903, the proposed law was made applicable to all of the State, and to children as well as to adults. Probation officers might be chosen from among the officers of societies for the prevention of cruelty to children or of charitable or benevolent institutions. The period of suspended sentence was not to exceed one year. In 1905, it was provided by law that the suspended sentence was to be for a period not longer than the longest period for which the defendant might have been sentenced.

In New York city in 1901, a city ordinance provided for police probation officers in the Magistrates' Courts. A State law was passed in 1901 establishing a children's court in New York city, and in the following year this court was actually organized. By 1905 there were one male and one female probation officer in each Magistrate's Court, the male officer being a policeman and rotating with the judges, whereas the women probation officers were each assigned to a separate court and did not rotate. At this time, there were no male probation officers in the Magistrates' Courts of Brooklyn, Queens or Richmond Boroughs. In the Court of Special Sessions there was one male probation officer and one female probation officer in the County Court of Kings County, and in the Court of Special Sessions of Brooklyn a county official, called a county detective, was employed as probation officer.

The city of New York is in a transition period in its probation work. We can look back with satisfaction at the effective work done by the Probation Commission of 1905, under the chairmanship of Mr. Homer Folks; at the organiza-

tion of the State Probation Commission in 1907; at the very effective investigation of the Night Court by the Commission of Accounts in 1909 and at the exhaustive and remarkable report in 1910 of the Page Legislative Commission on the Courts of Inferior Jurisdiction.

The Legislature in 1910 passed a very important bill relating to the courts of inferior jurisdiction in the city of New York. The bill has received the approval

The Reorgan- of Mayor Gaynor and has received the signa-
ization of the ture of Governor Hughes. By virtue of this
Inferior Courts. bill, on or before the first day of September, 1910, the chief justice of the Court of Special Sessions shall appoint a chief probation officer and similarly the chief magistrate for Manhattan and the Bronx, and the chief magistrate for the Boroughs of Brooklyn, Richmond and Queens shall each appoint a chief probation officer.

A majority of the justices of the Court of Special Sessions shall appoint twelve probation officers, and the Board of Magistrates of the First Division [Manhattan and the Bronx] shall appoint ten male and ten female probation officers, and the Board of Magistrates for the Second Division [Brooklyn, Queens and Richmond] the same number of civilian male and female officers as were employed previous to July 1st, 1910, by the said board.

On and after the first of September, 1910, no police officer shall be designated or act as a probation officer. The bill further provides that a careful and adequate system of records shall be kept by the chief probation officers of the Court of Special Sessions and of the Magistrates' Courts. Probation in the case of adults shall not be for longer than two years, and in the case of a misdemeanor, not longer than one year in the case of an offence of which a magistrate has summary jurisdiction. A child may be placed on probation for not longer than three years.

The above provisions, becoming law through the signature of Governor Hughes, will go far to bring order out of chaos in the probation system of the city of New York. The law will seemingly fall short of general excellence in so far as the positions of probation officers in the Magistrates' Courts are not subject to the rules of civil service and in so far as by law the probation officers in the Magistrates' Courts shall be considered the confidential advisers of the magistrates.

The Prison Association cannot too strongly emphasize the importance of rendering the Magistrates' Courts not only adequate for the transaction of their work, but efficient in giving to the scores of thousands of cases annually coming before these courts of first appeal proper individual attention. The business of these courts is enormous. Cases must with apparent necessity be rushed through on the busiest days. During 1909, the Magistrates' Courts report the following record:

The total number of prisoners arraigned during the year was 158,999 — 135,968 males and 23,031 females, being a decrease, as compared with the preceding year, of 27,781. There were held for trial or summarily convicted 70,392 males and 15,078 females, making a total of 85,470, as compared with 96,875 last year. Two hundred and sixty-four cases were pending when the courts closed December 31, 1909.

Under these circumstances, the necessity of an efficient probation service is clear. With probation officers who are alert, experienced and sympathetic, many cases now disposed of by discharge or fine or imprisonment could be remanded for further investigation with a consequent nearer approach to justice in the individual case.

The Page bill above mentioned provides for two night courts, one for men and one for women. The Night Court established in 1907 at Jefferson Market has

Night Courts proved able to do away largely with the professional bondsman evil, but it has in no
and the
Social Evil. important sense contributed a permanent

solution to the question of the treatment of the prostitute. These unfortunate women have, it is said, been largely released from the professional bondsman evil whereby they were mulcted, whenever arrested, through the high fees charged for obtaining their temporary release on bail. Furthermore, the women probation officers at the night court, particularly Miss Maud E. Miner, have given subsequent attention to the question of the proper treatment and disposition of women arraigned for disorderly conduct, which in the majority of instances means soliciting on the streets. Through the efforts of Miss Miner, a home for young women, called Waverly House, has been established and is serving as a voluntary house of detention until such times as the city establishes a



Leaving the Prison After Discharge, Having Served His Sentence

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proper house of detention for this purpose. But the great question of the proper treatment of women arranged for disorderly conduct is still far from solution. Far better results could be achieved, were the magistrates in general disposed to commit the younger and more helpable offenders to the Bedford Reformatory for Women instead of imposing a fine, which leads nowhere except to further business on the street, or to a sentence to the city workhouse, where the associations are such as by no possible means to bring about the permanent reformation to those thus sentenced for disorderly conduct. It is a question whether the time is not ripe for a far deeper study and treatment of the social evil in New York city than has heretofore been attempted. The very commendable report recently published by the Committee of Fourteen on the social evil is in large measure a report of conditions rather than a program for future action. In view of the decades during which the social evil has flourished in this city and in view of the rapidly increasing population of this greatest of all American cities, it may be asked whether the time has not come for the establishment of a large general committee, in which the various organizations, institutions and boards interested in the reduction of the social evil may be grouped, to the end that if possible this cancer on the social body may be checked or reduced.

In 1908, the State Probation Commission estimated that crime costs the citizens of New York State annually several millions of dollars. The direct cost to the

New York's State for the year ending September 30, 1908,
Toll. of maintaining 8,815 prisoners in penal and reformatory institutions was \$428,484.35.

This did not include the expense of additions or repairs to the institutions. There were in addition 110,463 persons committed to county jails and to New York city institutions. There were also numerous juvenile delinquents committed to various institutions throughout the State. The total yearly cost of such maintenance was computed by the Probation Commission as approximately \$4,000,000.

"Approximately about 15 per cent. of persons convicted in New York city are placed under suspended sentence. The public expense of the probation system for supervising 10,000 or more prisoners on probation in 1908 was about \$62,000. Should a probation officer receiving \$1,200 salary save during

the year five or six boys' commitment to the reformatory, the saving would more than equal the probation officer's salary."

The report of the State Probation Commission for 1909 shows that in that year there were 11,384 persons under probationary supervision, of which 2,795 or 24.5 per cent. were children (under 16 years of age). During the year 7,733 persons passed from probation of whom 1,925 or 25 per cent. were children. Of these, 5,476 or 81 per cent. were reported as having been discharged with improvement, 211 or 3 per cent. discharged without improvement, 722 or 10 per cent. re-arrested and committed, while 322 or 4 per cent. absconded or were lost from oversight.

While the above statistics are based on the opinions of the probation officers, the fact is evident that a very large proportion, both children and adults, profit by probation, in that they complete their period of probation satisfactorily, are not re-arrested, and in the case of adults undoubtedly become self-supporting.

The advantages of probation as outlined by the State Probation Commission are briefly the following:

Investigation of defendant before trial, the facts gathered giving the Court valuable information not otherwise obtainable.

Why Probation Pays.	Release of offenders after conviction on suspended sentences, thus giving offenders "another chance" under wise supervision. Avoidance of imprisonment, and of a "prison record," which is so hard to live down.
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Saving to city, county or municipality the expense of maintenance of the offender during imprisonment, an expense ranging from \$100 to \$200 a year.

Supervision of offender during period of probation.

Keeping the individual offender separate from other offenders instead of imprisoning him in jails or other penal institutions in company with criminals and degenerates.

Sentence only suspended, not withdrawn, thus enabling the probation officer at any time to bring the probationer before the court in case of unsatisfactory conduct.

Obligation upon parents to safeguard the welfare of the child while on probation.

Opportunity for probationers to pay their fines in instalments under suspended sentence instead of obligating others, per-

haps poverty-stricken themselves, to pay fine of an offender to save him from imprisonment.

Opportunity to require probationer to make restitution from earnings for loss or damages caused by his offence.

Opportunity to require probationer to support wholly or in part his family during period of probation.

The next five years will mark important progress in probation work in this city. The Prison Association will co-operate actively with all movements looking to the extension and systematizing of probation work. Particularly in the case of children, it is the Association's belief that probation work should be strengthened and extended. The Association has heretofore dealt primarily with offenders above the age of sixteen. By the terms of its charter it is not prohibited from dealing actively with persons of any age who are under arrest or who come before the criminal courts. The Association has recently considered the feasibility of undertaking preventive work for children, but feels that before this work should be undertaken, its parole work and probation work should be strengthened along the lines which have been above indicated.

The Employment of Prisoners.

THE day of gross abuses of prisoners in our State prisons is over. That in the past inmates suffered unwarrantably is well known. The Prison Association was established in 1844 largely to check and reduce the wretched treatment of prisoners.

The most serious abuse of prisoners to-day in our prisons is recognized to be their enforced deprivation of adequate employment. A reasonable amount of labor

Labor is Life. is the best medicine that can be given a prisoner. It is necessary for his health. It acts as a balance for the mind; it is a training for his life on the outside. It occupies his time, and is not only a means of discipline, but when properly administered is a most salutary diversion. If the State imprisons a man, it owes him the chance to work and also the opportunity to receive a portion of his earnings.

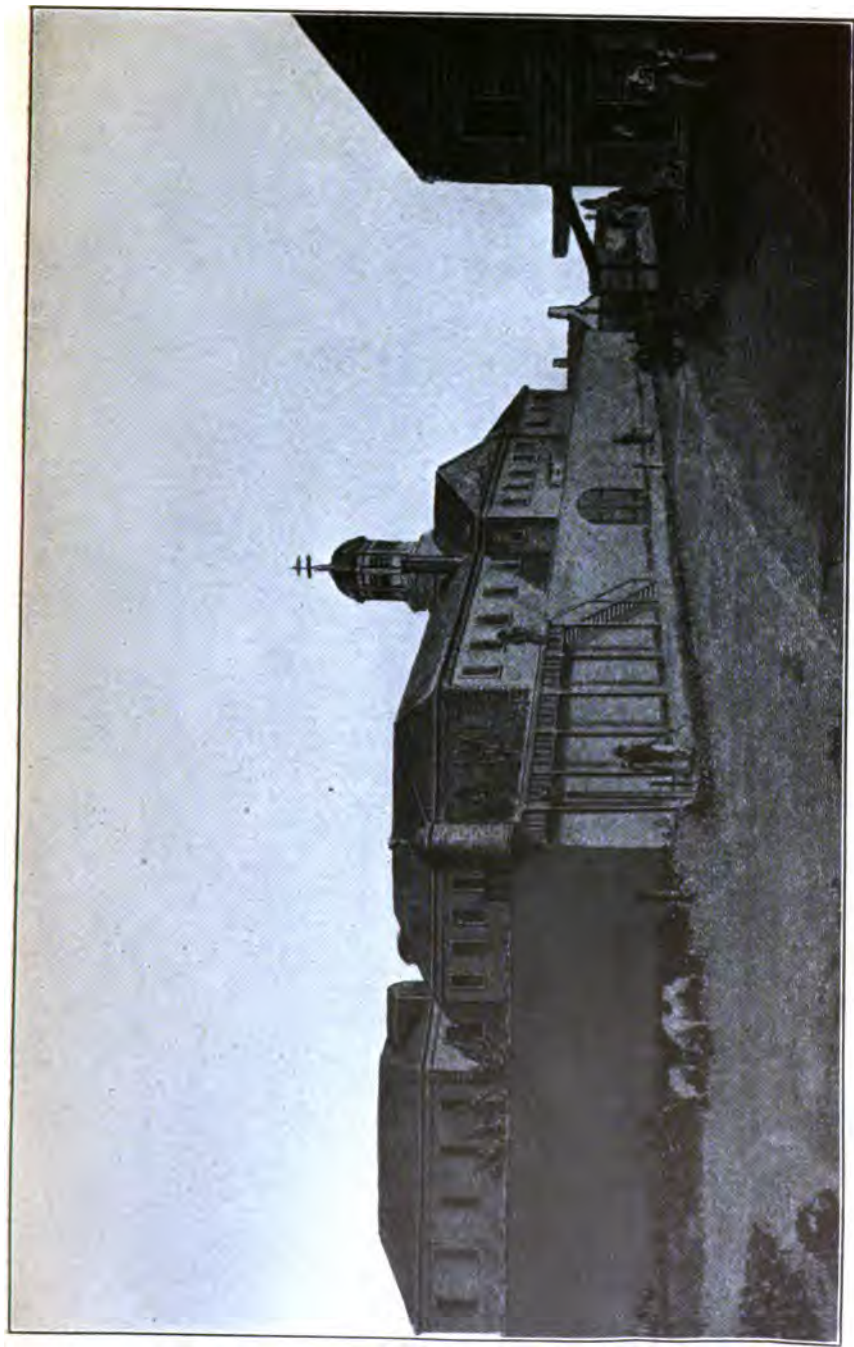
The State Use System, under which the correctional institutions of New York State are administered, forbids the sale of prison-made goods in the open market.

The New York Prison Labor Law. The Prison Department of the State manufactured during the twelve months ending December 30, 1909, over \$850,000 worth of goods, which were sold to the State or to

political divisions of the State. Nevertheless the products of the State prisons were but a very small part of the supplies purchased in that year by the State and by its political divisions.

The State of New York is committed by law and by public opinion to the extension of the State Use System. On the one hand, the demand for supplies manufactured in our State prisons should be stimulated, and to the least degree possible should the State and its political divisions be released from their obligations to purchase prison-made goods. The quality and variety of prison-made goods should be such as to obviate the frequent necessity of granting a release from prospective purchases. It is apparent that the shops in the State prisons are not run to their full capacity.

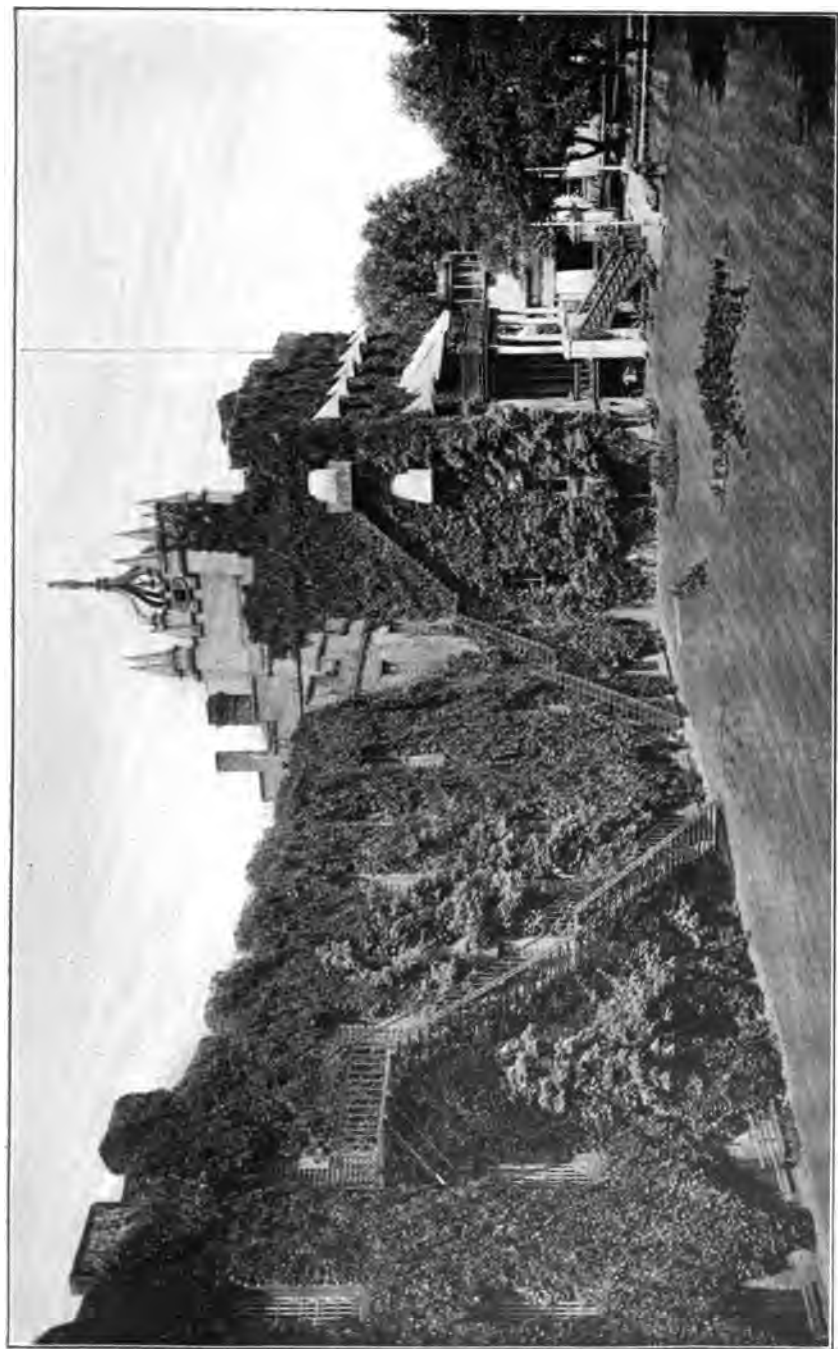
On the other hand, the prison shops in the three State prisons are entirely inadequate to supply even a small pro-



New York's First State Prison, known as Newgate Prison

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Exterior, Auburn Prison

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portion of all the products which might be supplied to the State and might be requisitioned by the State and its political divisions. In addition, comparatively little work will be found in progress in the shops of the county penitentiaries, in comparison with the number of men imprisoned in the county penitentiaries and in comparison with the possible facilities for manufacturing articles needed by the several counties in which the penitentiaries are situated and by which they are maintained.

The special advantage of the State Use System is that it eliminates the older contract labor system and that it removes from competition in the open market the

The State Use System. prison-made goods which in the State of New York the representatives of both organized labor and the manufacturers vigorously

oppose. In the present state of public opinion, supported by the constitutional amendment, the State Use System is well established. The great disadvantage of the State Use System is that it very seriously limits the employment of prisoners, unless the demand by the State and by its political divisions for prison-made goods is constant and great.

With a view not only to increasing the employment of prisoners, but also in order to stimulate the demand for prison-made products, a bill was introduced in the Legislature in 1910 authorizing the sale by the Superintendent of Prisons of goods manufactured in the county penitentiaries. This bill failed of passage, not even being reported out of committee. In one county penitentiary of this State one of the prison officials, when asked by the corresponding secretary of the Prison Association what the men did in the shops during the day, replied: "Oh, they play checkers;" this substitute for labor being broken morning and evening by a tedious, monotonous tramp around the prison yard for an hour or so.

This problem of prison labor is highly complicated. The State of New York is a manufacturer of prison goods to the value of nearly \$900,000 a year. The

Prison Labor — A Complicated Problem. State Superintendent of Prisons is the general manager of these industries. He is paid a salary of \$6,000 and has multifarious duties

of administration, the prison industries being only one part of his many duties. Engaged by the Superintendent of Prisons is the purchasing and sales agent of the

prisons, who devotes himself particularly to the details of the prison industries. This member of the staff of the Prison Department receives a salary of \$4,000 and is expected to furnish service, which, were it given to similar industries in outside commercial life, would probably command a higher salary. The State in short is expecting of its Prison Department supervision and wide extension of its prison industries and seems to be paying comparatively low salaries for the services rendered.

This situation seems to lead necessarily to divided responsibilities and divided interests. The State Superintendent of Prisons can give but comparatively little time to the management of prison industries. The purchasing and sales agent is required to give but a certain portion of his time to his duties in the Prison Department. The general attitude of the State toward salaries in correctional and charitable institutions is at present against high salaries for expert service. The problem of the administration of our prison industries, already a complicated one, will become far more complicated with the desired extension of the State Use System. It should be a matter of serious consideration what shall be the best policy in the administration and extension of the prison industries of the State, for it must be noted that in addition to the three State prisons and the five county penitentiaries, the State has two reformatories for men in which the trade-school features predominate, and which are to a very limited extent manufacturing products that are sold to the State and to its political divisions. In the State are more than sixty county jails in which labor at the best is but intermittent and in a number of which idleness practically prevails. In New York city the workhouse is but partially a real workhouse. All of these institutions, in justice to the prisoner, and for the economical administration of the institutions themselves, should be employing their inmates at useful labor, resulting in products which the State and its political divisions could and should utilize.

The State Use System it is said, has never yet had a fair trial in any State. It may be it will in the end prove not a feasible system. It may be that with such

Give the State extension as may occur in New York State,
Use System a it will finally be shown that it works unfairly
Fair Trial. upon the prisoner, that it is uneconomical
 and unhealthy. It may be that in the end
 it can be shown that the demands of organized labor and of

manufacturers are not to be weighed against the rights of the prisoner to a reasonable amount of work, a reasonable percentage of earnings for his work, and a reasonable degree of health. This has not been proved. The State Use System must be extended sufficiently to give it a fair trial.

In this connection it is to be noted that prison-made goods manufactured in other states are now admitted to the State of New York *ad libitum* without any require-

Prison-Made ments of a license fee to be paid by the
Goods from retailer and without the requirement that
Other States. such goods shall be stamped "prison-made"
 or "convict-made." The result is that the

State of New York, prohibiting itself from selling prison-made goods in the open market, is forced to admit prison-made goods from other states. Laws passed by the Legislature providing that all dealers in prison-made goods shall be licensed and that such goods shall be stamped "prison-made" or "convict-made" have been declared unconstitutional at different times by the Court of Appeals. At a number of recent sessions of the National Congress bills have been before the Committee on Prison Labor [a sub-committee of the Committee on Labor of the House of Representatives], providing that prison-made goods, when sold in any State of the Union, shall be subject to the laws of the State into which the goods are introduced. This law, if passed by Congress would, it is claimed, entirely prohibit the sale of prison-made goods in New York State. The question arose in the Committee during the recent session of Congress as to the constitutionality of this bill.

Correctional Institutions.

THE inspection of the correctional institutions of the State of New York by the Prison Association is one of its duties, a duty which in recent years has been subordinated to the development of the Association's parole work and probation work. A number of the insti-

Visits. tutions of the State have been frequently visited, among them the penitentiary and the workhouse on Blackwell's Island, the Tombs and some of the district prisons of New York city, Sing Sing Prison, Elmira Reformatory, Bedford Reformatory and Auburn State Prison. In all of these institutions, the Association has found a reasonably efficient administration and in some a noteworthy administration; we have found also an absence of the serious physical abuses formerly practiced upon inmates, reasonably satisfactory food, generally a high degree of cleanliness and generally a fair degree of solicitude for the welfare of the individual prisoner as gauged by the standards of the twentieth century.

At Elmira Reformatory the representative of the Association has been greatly impressed with the high degree of efficiency in the administration of that institution.

Elmira Reformatory. Its discipline is excellent. The industrial instruction is of a high grade, the military and gymnasium work excellently conducted and the educational work of a high order. The spirit of the general superintendent pervades the institution and the Prison Association records with pleasure the fact that among the hundreds of men paroled to it in the course of the last year from Elmira and Napanoch Reformatories, it has not heard a single serious complaint against the general superintendent or his associates. This fact is more remarkable, because the Prison Association acts as the parole agent for Elmira and Napanoch Reformatories for men committed from Greater New York, and receives young men when released on parole at a time when they are apt to be critical and often sullen and anti-social.

The official relations existing between the executive committee of the Prison Association and the board of managers



Honor Bars, New York State Prisons

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of Elmira and Napanoch Reformatories are most cordial. Through acting as parole agent for the two reformatories, the Prison Association keeps in daily contact with the reformatories. The board of managers of the reformatories are naturally desirous that the supervision of the reformatory men on parole shall be adequate, because in proportion as the supervision results in permanent reformation, the good results of reformatory treatment are preserved.

The board of reformatory managers has for a number of years made an appropriation of \$1,500 to the Prison Association for its work as parole agent. This appropriation is far from meeting the expenses of its Parole Bureau. Indeed, the salary list of the present parole staff alone amounts to \$4,440, not including the services of a sergeant of the New York police department, a year. The board of reformatory managers approved in the early part of 1910 of an increase in their annual appropriation to the Prison Association from \$1,500 to \$2,400 a year, subject to the approval of the fiscal supervisor and of the salary classification committee of the State. At the time of writing, this appropriation has not yet been granted. The Prison Association would emphasize the fact that it is only fair that the State should meet to a larger extent the expenses of the parole work of the Prison Association.

With the Prison Department of the State, the relations of the Prison Association are also most cordial. In addition to the inspection of the State prisons, the Association is getting more closely in touch with the Prison Department through the extension of our parole work to cover prisoners released on parole from State prisons to Greater New York.

The Association is not the official parole agent of the State prisons. While the Association has always been ready to receive under its supervision men paroled from the State prisons, it was only in April, 1910, that the Association was invited to be represented at the monthly meetings of the Parole Board, which meets once a month at each of the three State prisons, and determines upon the parole of those eligible for this privilege. The Association is now represented each month at the meetings of the Parole Board.

In May, 1910, four State prisoners were officially paroled to the Association; in June, 1910, nine prisoners were paroled to the Association; in July, 1910, twenty-one.

An apparent gross abuse in New York city of the privilege of supervising paroled prisoners by an individual in this city having been discovered by the Prison Association in the spring of 1910, the Association made a careful investigation, taking stenographic minutes of several hearings at the offices of the Association and forwarding the same to the State Prison Department, with the result that the State Prison Department has discontinued in New York city the parole of State prisoners to the above mentioned person.

The matter of the instruction of officers in State prisons having been broached in conference between the State Superintendent of Prisons and the corresponding secretary of the Prison Association, the **Prison Guards and Keepers.** corresponding secretary in the early summer of 1910 submitted a tentative plan for such a training school for State prison officers, to consist of monthly conferences of prison officers, a conference to be held each month at each of the three State prisons, at which conferences the prison officers themselves would take the most prominent part. This tentative plan has received the approval of the State Superintendent of Prisons and also of the State Prison Commission.

The winter of 1909 and 1910 brought to New York city a change of municipal administration and the appointment of Hon. Patrick Whitney as commissioner of correction. Mr. Whitney has entered a **New York City Department of Correction.** department which has long suffered from the lack of scientific knowledge of the problems of crime and of the treatment of the criminal.

The department in past years has suffered from unfortunate management, and the present commissioner has inherited many adverse conditions in the department, which will require his best efforts to remedy.

He has requested the cooperation of the Prison Association in suggesting reforms and improvements in the city correctional institutions.

The Prison Association commends such elements in the administration of the city's penal institutions as their general cleanliness, the lack of abuses and a generally decent treatment of prisoners. The institutions, however, show few purposes of reformation or of apparent desire to develop better systems for the reclamation of the offender.

The principal correctional institutions of New York city are the City Prison, known popularly as the Tombs, which serves as a detention prison; the Workhouse, which receives misdemeanants from the Boroughs of Manhattan, Bronx and Brooklyn; the Penitentiary, which receives misdemeanants and felons from the counties of New York, Kings, Queens and Richmond; the Workhouse at Hart's Island, which serves as an overflow prison for the Workhouse on Blackwell's Island; the Reformatory for Male Misdemeanants at Hart's Island, which receives male misdemeanants between the ages of sixteen and thirty, and was established to serve as a reformatory for the younger and less hardened criminals.

The penitentiary during the year ending December 31, 1909, received 2,464 persons. The bulk of those convicted of serious crimes are sent either to Elmira Reformatory or to one of the three State prisons. The grand total of expenditures of the Department of Correction for 1909 was \$1,585,015.20.

A new penitentiary, to cost about \$4,000,000, is to be provided on Riker's Island by the city, and a new workhouse, to cost at least \$1,000,000. When these institutions shall have been built, the present penitentiary and present workhouse on Blackwell's Island will become the property of the department of public charities, and Blackwell's Island will then become a hospital island.

The Legislature of 1910 passed a bill, since approved by Mayor Gaynor and signed by Governor Hughes, empowering the city to establish a board of inebriety for the purpose of maintaining an extensive probation system for the treatment of inebriates, and also a farm colony and hospital for the more serious cases of inebriety. It is estimated that the farm colony and hospital will cost in the neighborhood of \$1,000,000.

While the Association does not point to any gross sanitary or physical abuses in the correctional institutions of the city, the general statement can be made that sanitary conditions and cell conditions often ought to be far more satisfactory than they are. Practically all of the police stations have detention cells and many of the station houses are in very poor sanitary condition. The Tombs is frequently overcrowded so that prisoners have to be doubled up, which exposes the inmates of the cells to vicious practices.

Several of the prisons connected with the courts are in a very wretched condition, particularly that of Jefferson Market, where the prison pens are but a compulsory gathering place for all sorts of offenders.

City Prisons.

The prison pens in the Essex Market Court are not only unsanitary, but are in the cellar under the court house, where little light and air can be obtained. These conditions bid fair not to be rectified until a new Essex Market Court is built. An agitation for a new building at this location has been carried on for a long time, and plans have been drawn, but as yet no appropriation for such a building has been made.

The principal criticism to be made of the penitentiary on Blackwell's Island is the absence of any apparent reformatory principles in connection with the administration. The prisoners are probably worked harder than in any other of the city's institutions and undoubtedly worked harder than in any other penitentiaries of the State. It would be entirely possible to introduce into the penitentiary the elements of a reformatory institution, such as Elmira or Napanoch.

The Penitentiary.

At the workhouse, the amount of work apparently done still makes the name "workhouse" in a large degree a misnomer. A combination of short sentences; of a class of inmates in which vagrants and "drunks" are largely represented; of an absence of shop facilities sufficient to give work to all the inmates; of a lethargy that only too often seems to possess the prison officials, all tend to make the workhouse on a par, in many respects, with the jails of New York State. There are a certain number of shops, to be sure, and there is a stone quarry where work is much more active than elsewhere at the workhouse. A fair-minded observer, however, will not fail to decide that in proportion to the male population and to the shop facilities now existent, the amount of work done is comparatively small.

The Workhouse.

At Hart's Island there was established in 1905, a City Reformatory for Misdemeanants. There are about 150 boys between the ages of sixteen and twenty-one in this institution. At present it is in but a small degree reformatory. The school facilities are quite inadequate, there being but one classroom, and trade instruction is largely lacking. Many of the inmates are occupied with menial

The Hart's Island Reformatory.



Prison Yard, Auburn Prison

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Women's Prison, Auburn

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tasks which should be done by workhouse prisoners from the workhouse on Hart's Island. The reformatory has been hampered by the lack of a trades school, which was burned down about a year ago. Plans have been prepared for a new group of reformatory buildings at the northern end of Hart's Island. It is to be hoped that when these buildings shall have been completed, if during the present administration, the reformatory at Hart's Island will become something more than a reformatory in name.

The county penitentiaries and the county jails have been since 1844, the foundation year of the Prison Association, objects of the criticism of the Association.

County Penitentiaries and Jails. The penitentiaries and the jails, with the exception of the penitentiary on Blackwell's Island, tend to be centers of idleness and vice. Through the excellent inspection work of the Prison Commission, many jails have greatly improved in recent years. In a number of counties, new jails have been recently built or modernized.

This is a tax on the State and a great economic burden. The jails should be used only for places of detention for those awaiting trial and for witnesses. Convicted prisoners ordinarily imprisoned in jails should be confined in district workhouses where the industries might be utilized for the profit of the State and its political divisions. The present county penitentiaries should be reorganized as State district workhouses. The prisoners in county penitentiaries and county jails are mainly those who have committed crimes for which the State prescribes penalties. Only when the State takes over the county penitentiaries and develops a system of State district workhouses does it seem possible to expect systematized productive labor on any extensive scale for misdemeanants.

The hundreds of lockups in the rural sections of New York State have but recently come under the inspection of the State Prison Commission. These lockups are used

Lockups. for the temporary detention of those recently under arrest. They serve as over-night detention houses and are often unfitted for the purpose for which they are used.

The State greatly needs several new correctional institutions:— one or more farm colonies for vagrants and tramps, several hospitals and agricultural colonies

New Needs. for the treatment of inebriates, and one or more reformatories for male misdemeanants.

The need for these institutions has already been outlined in detail in the report of the Prison Association to the Legislature, which will be found on pages 11-23 of the present annual report of the Association.

Relief of Prisoners' Families.

WHEN the bread-winner of a family is sent to prison, his family becomes often a greater sufferer than he. The income of the large majority of prisoners' families is dependent upon the earning capacity of the bread-winner. Generally the funds in savings-

A Problem of Relief. banks are small and the family soon becomes necessarily the recipient of charity, or is forced to go to extreme measures to obtain its sustenance. The question of providing satisfactorily and justly for prisoners' families is undoubtedly capable of solution, but is still a problem. In Washington, gratifying results have been obtained in the case of men sentenced to the House of Correction for non-support. In states where contract labor prevails, as in the State of Maryland, a portion of the earnings are credited to the prisoner. The prisoners are able to earn a certain amount generally through over-time work, which may be paid to their families. This advantage of the contract system is particularly emphasized as an offset to its many serious disadvantages. In the State prisons of the State of New York, the prisoners receive one and one-half cents daily in return for their labor. This sum is practically a gratuity, because the labor of the inmates of our State prisons earns but about one-third of the total annual maintenance cost of the same prisoners.

The inmates of the reformatories have no earnings, nor so far as the Association knows, do the inmates of penitentiaries or county jails contribute by their labor toward the maintenance of their families.

Consequently relief of prisoners' families is a very necessary part of the work of the Prison Association, although it is not as yet maintained on a large scale. The relief disbursements of the Prison Association to discharged or paroled prisoners and to prisoners' families, was for the year 1909, \$1,456.19.

The Association plans to work toward some form of reasonable recompense for men confined in prison in so far as their labor can be utilized to contribute to the support of their families.

The Association at Its Work.

THE Prison Association was incorporated by the Legislature of the State of New York in 1846. It is a charitable organization founded to promote the welfare of the prisoner and the betterment of prison conditions. Its board of managers is the executive committee of thirty members. The executive committee is a self-perpetuating body. The board of managers appoint the corresponding secretary, who is the executive officer of the Association. The late Dr. Samuel J. Barrows was for nine years the corresponding secretary of the Prison Association. His distinguished services as the executive of the Association were heightened by his national and international services in the field of penology.

His successor, Dr. O. F. Lewis, was appointed corresponding secretary on January 1, 1910.*

The work of the Association is at present divided into three parts:—the Parole Bureau, the Probation Bureau and the Office.

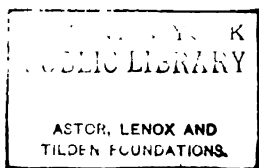
The staff of the Parole Bureau consists of H. B. Rodgers, Parole Agent, Grant Williams [Detective-Sergeant], T. B. Collins, A. Gardner Benedict, and Samuel Ornitz, Investigators.

The Parole Bureau. The Parole Bureau supervises primarily the young men released on parole from Elmira and Napanoch Reformatories, 921 young men being received on parole in the Prison Association in 1909. In addition there applied to the Parole Bureau for assistance and counsel during 1909, 539; discharged prisoners from Sing Sing Prison, 44; from Auburn Prison, 11; from Clinton

* Dr. Lewis graduated from Tufts College, Mass. [A.B., 1895; A.M., 1897]. After several years' study in Europe he took the degree of Ph.D. at the University of Pennsylvania in 1900. From 1900 to 1905 he was Professor of Modern Languages at the University of Maine. His training in social work was had first at the University of Chicago in 1903, then at the School of Philanthropy in New York in the summer of 1905. On August 1, 1905, he became superintendent of the Joint Application Bureau, maintained by the New York Charity Organization Society and the New York Association for Improving the Condition of the Poor. In this bureau are aided annually many thousand homeless persons. In 1907 Dr. Lewis became financial secretary of the Charity Organization Society of New York, holding this position until January 1, 1910, when he became corresponding secretary of the Prison Association of New York. During the five years from 1905 to 1910 Dr. Lewis made numerous special studies in the field of vagrancy and crime.



Chair Shop, Auburn Prison



Prison, 13; from Blackwell's Island Penitentiary, 264; from Blackwell's Island Workhouse, 80; from other correctional institutions in the State, 15. From outside the State there applied for aid and counsel during 1909, 52. A grand total of 1,939 persons aided with relief or counsel or both by the Association.

The members of the staff of the Parole Bureau gather at the Prison Association in the morning, receive their assignments for visits and investigations and return

A Morning Hour. in the latter part of the day for reports and further assignments. On the average from

350 to 400 young men are under supervision at any one time. Between the 20th and 25th of each month a group of young men just placed on parole arrive at the Prison Association from Elmira and Napanoch Reformatories. These young men are divided into approximately equal groups and are assigned for supervision to the various members of the parole staff, thus naturally developing a closer relationship between the members of the staff and the young men than would be possible were no such division made.

When the young men arrive from Elmira, the necessary entries are made upon the records of the Prison Association and to each young man, individually or in a group, are explained the purposes of the Prison Association. It is pointed out that the Association, while acting as parole agent for Elmira and Napanoch, is far more than an official parole agent. It is a sympathetic and consistent friend of each young man. The young men are addressed approximately as follows:

"We want you boys to understand that the Prison Association has only one purpose, to help you. You are young.

Most of the members of the staff of this Asso-

A Frank Talk. ciation are pretty nearly or quite twice as old as you are. You have most of your life before you. The next six months are going to be very important months for you. They are not going to be easy. Some of you will get among the old associations from which you went at the time of your arrest. We are not only ready, but we want to be one of your best friends during the time that you are on parole. That is why you have been assigned, each of you, to one of the parole staff, who will feel very badly if he does not become such a friend to you that you can gain with credit your absolute release after six months.

"Now if at any time any of you get into trouble; if you think that the police are hounding you; if some one of you has unhappily a father who does not sympathize with your trying to do right; if some of you want to change your job; or if some of you find that your old cronies of the 'gang' are trying to help you back into the life which sent you away, come to us. That is what we are here for. Remember that we do not want to send you back. Remember too that the more you make us your friends, the less likely you are to go back.

"Further, if any of you have questions that you want to ask of us, if there are things not clear to you, do not hesitate to come here. Look any one of us up and we will do the best we can to set you straight."

It is through a frank talk of this sort, of which this is but a part, couched pretty largely in the language that the boys can understand best, that we believe we are able to help these boys in a rational manner, without mawkishness, during their parole period.

The Parole Bureau not only helps boys from Elmira and Napanoch, but also acts as a relief agent for discharged and paroled prisoners in general. One of the

Staff Duties. members of the staff visits the Tombs several times a week; another member of the staff visits the penitentiary and workhouse; the police sergeant on our staff is present at the "line-up" at detective headquarters each morning, and it is unpleasant to report that he frequently finds reformatory boys again in the hands of the law and passing before the detectives for inspection. Once a month the corresponding secretary or parole agent attends the meetings of the State Parole Board at Sing Sing and occasionally will attend the meetings of the Parole Board at other State prisons. Out of the activity of the Parole Bureau has developed the "Round Table" Club, which acts as a distribution agent for many otherwise unemployed paroled and discharged prisoners.

A new system of keeping the records of the Parole Bureau has been organized since the first of January, 1910. Filing cabinets with the loose-folder system of keeping records and correspondence have been installed. The monthly reports of the Parole Bureau to the corresponding secretary, and to the executive committee have been enlarged. A special stenographer, Miss Levy, has been assigned to the Parole Department.

A system of determining the delinquency in the cases of young men who appear to have violated their parole has been

established, and a committee consisting of the corresponding secretary, the parole agent, and the police sergeant detailed by the department of police to the Prison Association decides carefully each case. The work of the Parole Bureau is being steadily increased, through the assignments from the State prisons of men on parole to the Prison Association.

As illustrating the daily work of the Parole Bureau, the following record is printed of the activities of that Bureau on June 27, 1910. This was not an exceptional day. In the case of each person, a personal interview was held.

Prison.	Consecutive number.	Remarks.
Elmira.....	18451	Arrival report; no work.
Elmira.....	18228	Arrival report; no work.
Elmira.....	18457	Arrival report; no work.
Elmira.....	18221	Arrival report; no work.
Elmira.....	17497	Arrival report; no work.
Elmira.....	19097	Arrival report; no work.
Elmira.....	18422	Arrival report; no work.
Elmira.....	18447	Arrival report; no work.
Elmira.....	18410	Arrival report; no work.
Elmira.....	18485	Arrival report; no work.
Elmira.....	18345	Arrival report; no work.
Napanoch....	1852	Arrival report; no work.
Sing Sing.....	59042	Arrival report; had no position. Sent to Dr. D., East 12th street, for work.
Napanoch....	1936	Found work, Pencil Co., East 14th street. Gave him \$2 cash for necessary expenses.
Napanoch....	1880	Ten-day man. Asks permission to go to Italy.
Sing Sing.....	58490	Sent him to work for the G. Mfg. Co., \$2 per day.
Sing Sing.....	58206	Called for advice about his position.
Sing Sing.....	57489	Reported out of hospital.
Elmira.....	13729	Paroled July 23, 1906. Returned for violation of parole and again paroled June, 1908. Sent to work for St. Luke's church, \$1.75 per day.
Clinton.....	.....	Sent to work on Albany boat, \$30 and board; loaned \$1.50.
Elmira.....	18148	Second monthly report.
Probation....	.....	Reports he is to sail for Buenos Ayres on the 30th. This is the ship that Mr. B. got him position on as electrician.
Sing Sing.....	58574	Sent to position in,———, Broadway, and to live at 129 Christie street.

Prison.	Consecutive number.	Remarks.
Elmira.....	17547	First monthly report.
Napanoch....	1949	First monthly report.
Penitentiary..	.....	Gave him shirt, tie and hat; order of Mr. Kimball.
Elmira.....	18161	Third monthly report.
Elmira.....	18199	Third monthly report.
Elmira.....	17460	Mother reports his disappearance after an illness. Notified police headquarters and sent out general alarm for him.
Elmira.....	17539	Was laid off. Had him reinstated at work through personally visiting employer.
Napanoch....	1867	Fourth monthly report; gave permission to spend two weeks' vacation with parents at Atlantic City.
Elmira.....	17976	Fourth monthly report.
Elmira.....	17879	Fourth monthly report.
Elmira.....	18301	Second monthly report.
Elmira.....	17122	Fifth monthly report.
Elmira.....	17922	Third monthly report.
Elmira.....	18087	Fourth monthly report.
Elmira.....	18087	Fourth monthly report.
Elmira.....	18438	Reports no work; has been laid off.
Elmira.....	18158	Second monthly report.
Elmira.....	17545	Sixth monthly report.
Napanoch....	1926	Reported change of position.
Napanoch....	1996	Sent to 298 Willis avenue for work.
Elmira.....	16866	Absolutely released.
Elmira.....	17529	Absolutely released.
Elmira.....	18302	Second monthly report.
Elmira.....	18407	First monthly report.
Elmira.....	17584	Third monthly report.
Elmira.....	18214	Third monthly report.
Elmira.....	1922	First monthly report.
Elmira.....	18483	First monthly report.
Elmira.....	2050	Given permission to live with brother.
Elmira.....	18057	First monthly report.
Elmira.....	18031	Third monthly report.
Elmira.....	16629	Third monthly report.
Napanoch....	1859	Second monthly report.
Elmira.....	18210	Third monthly report.
Napanoch....	1765	Third monthly report.
V. I. P.....	.....	Given three meals, 1 lodging.
W. H.....		Given three meals, 1 lodging.
Elmira.....	15687	Sent record to Mrs. Walker, probation officer.



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The Probation Bureau of the Association has also been reorganized during 1910, the staff consisting of D. E. Kimball, General Agent of the Association, who for twenty-five years has been probation officer in the Court of General Sessions; Mrs. Emily S. Walker, appointed in April, 1910, volunteer probation officer, although Mrs. Walker for several years has been a volunteer probation officer in the Court of General Sessions; Edward Berman, Investigator for the Probation Bureau, and Miss Naomi Rigby, stenographer.

The Probation Bureau.

While in the number of persons on probation, the volume of work of the Probation Bureau is not comparable to that of the Parole Bureau, the work is of equally high importance and requires constant wisdom and supervision of the men and women on probation. To Mr. Kimball were assigned by the judges in General Sessions, during 1909, 589 probationers. Probationers may report each week day during the day time at the office of the Prison Association, and also on Thursday night from half-past seven to nine. Were the Association able to maintain a larger probation staff, the probationers would be more frequently visited at their homes and at their work.

Filing cabinets have been installed, with a loose-leaf folder system for keeping records and correspondence. The case plan has been adopted for the keeping of case records, and a monthly system of reporting to the judges on all cases on probation has been adopted for the convenience of the judges in General Sessions and for the statistical use of the Prison Association.

The office work of the Association is not unlike that of any of the modern charitable organizations in this city. Members of the office staff are Miss Auchampaugh, secretary to the corresponding secretary, having general supervision over the routine clerical work of the Association; Miss Rigby, stenographer of the Probation Bureau; Miss Levy, stenographer of the Parole Bureau; Miss Middler, summer stenographer; Miss Stecker and Miss Ratner, clerks.

The Association has a very well-chosen and comprehensive library of books and pamphlets on penological and criminological subjects, which is accessible to the public. The library is added to from year to year, but not to such an extent as is desirable. The Association would gladly welcome the establish-

The Library.

ment of a special fund for the purchase of books and pamphlets for the library. Miss Titus is librarian.

The building in which the Prison Association's offices are situated, is at 135 East 15th Street, New York city, and is owned by the Prison Association. It is

Our Building. valued at \$35,000. During the early summer of 1910, the building was thoroughly renovated and is now well equipped for the purposes of the Association. The basement and the first two floors are used for office purposes, the Parole Bureau occupying the basement and first floor, the Probation Bureau and the office work of the Association occupying the second floor. The third and fourth floors are the apartments of the corresponding secretary and his wife.

The International Prison Congress.

IN 1870, it was proposed at the first annual meeting of the organization which is now the American Prison Association, that an International Prison Congress might profitably be held to discuss the problems of crime, which are now world-wide in their significance.

Its Origin. Dr. E. C. Wines, at that time corresponding secretary of the Prison Association of New York, was a leader in the movement in 1870, at Cincinnati, where it received its impulse. In the next year Dr. Wines was appointed a Commissioner by President Grant to secure the cooperation of European governments in the holding of this great International Congress. Dr. Wines visited Europe in 1871 and found that everywhere his proposition was received with favor by the governments addressed.

In the proceedings of the First International Prison Congress in 1872 at London, the part taken by the United States and its Commissioner in the calling together of an organization of that Congress, was generously recognized, as it has been at nearly every meeting of the Congress since held.

In October, 1910, the International Prison Congress for the first time will visit the western shores of the Atlantic, to hold a week's session at Washington, D. C. This

This Year's Congress. Congress will be preceded by a special tour of some 2,000 miles from New York to Chicago and return to Washington, for the purpose of visiting various penal institutions. On this trip, the foreign delegates to the Congress, some 100 in number, will be the guests of the United States.

At the Seventh International Prison Congress at Budapest in 1905, Dr. Samuel J. Barrows was the official delegate from the United States. Dr. Barrows held for many

Dr. Barrows — A Leader. years this distinguished position, a part of his incumbency being during the entire period of his connection with the Prison Association of New York as corresponding secretary. Dr. Barrows tendered to the International Prison Congress the invitation of the United States to meet in Washington in 1910. This in-

vation was unanimously accepted. According to custom, Dr. Barrows as the official representative of the United States was elected President of the Commission (the executive committee of the Congress) to carry out the plans of the organization for the meeting in Washington in 1910.

It is a source of deep sorrow to the Executive Committee of the Prison Association of New York that Dr. Barrows has passed away before the great honor could be his of presiding at the coming International Prison Congress, which will probably be in point of importance the greatest Congress yet held. He prepared the general plans for the coming Congress, being ably assisted by his devoted wife, who has been often fittingly honored in the councils of the International Prison Commission.

Following Dr. Barrows' untimely death, in April, 1909, Professor Charles R. Henderson became, by appointment of President Taft, this country's representative on the International Prison Congress, and during the summer of 1909 at the meeting in Paris, Dr. Henderson was elected President of the Commission.

The Prison Association of New York is one of the cooperating committees in completing the plans for the Congress. Many

**The Prison
Association
and the
Congress.**

of the members of the executive committee have been appointed members of the General Committee having in charge the arrangements for the Congress. President Eugene Smith of the Prison Association has prepared one of the souvenir volumes now being published by the Russell Sage Foundation to commemorate the Eighth International Prison Congress, Mr. Smith's volume being entitled, "Criminal Law in the United States."

Dr. Lewis, the Corresponding Secretary of the Prison Association, has charge of the publicity work of the Congress. On the local New York city committee, to be charged with the entertainment of the foreign guests while in New York city, the Prison Association will be represented through members of the executive committee.

The great importance of this Congress hardly needs to be emphasized. It will focus the attention of the entire United States in October to the great prison problems of this country. It is confidently to be expected that the problems of delinquency will be given wider publicity during the coming year than they have ever before received in this country.



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The Prison Congress is an international organization against crime. It considers the sources of crime, how crime can be prevented, what measures different nations can take to promote their own security, how the offender can be so dealt with as to correct and reform him, what protection shall be thrown around children and minors. The word "prison" only suggests the name of this Congress.

ORGANIZATION.

The Congress is divided into four sections:

Section I relates to criminal law. In this section are some of the most eminent jurists in Europe. The discussions here are not merely academic. They relate to the fundamental principles of penal law and their practical application. They include the organization and administration of courts, the structure of penal codes, questions of criminal procedure, the classification of offenses, and application of penalties. Questions of extradition, the relation of nations to each other in the suppression of crime naturally fall under this section.

Section II relates to prison administration. It is naturally made up of those who have had experience as directors, superintendents or wardens of prisons or correctional institutions. Everything relating to prison structure, hygiene, prison industries, the classification, organization and education of offenders, to dietaries, medical treatment, the prevention and cure of tuberculosis, and other prison diseases, the study of the criminal, and many other practical questions come under this section.

Section III relates to preventive means. This covers a wide field of sociological inquiry as to the causes and prevention of crime.

Section IV relates to children and minors. Child-saving is one of the most important and absorbing questions of our time. Neglected childhood, whether from neglected homes, neglected schools, or neglected factories, means an increase of crime. This section has given a new impetus to the subject of children's courts and the legal treatment of children accused of crime. Though the Congress has done much to indicate better methods of prison discipline and improvement in criminal codes, it is destined to have a still greater influence in the reduction of crime through the serious study and attention which it is now giving to all preventive influences.

PROGRAM OF THE CONGRESS OF 1910.

FIRST SECTION — PENAL LEGISLATION.

Question 1. Assuming that a rational relation exists between the principle of the indeterminate sentence and the fundamental principles of criminal jurisprudence —

(a) What class of delinquents should be submitted to, and what class excluded from, its application?

(b) How may a sentence of this kind, without minimum or maximum limits, be applied without danger to individual liberty?

If it is not admitted that there is a rational relation between the principle of the indeterminate sentence and the fundamental principles of criminal jurisprudence, is there ground for adding to the definite sentence with respect to a particular individual a restriction in the form of a supplemental penalty; and if so, in what cases, and how is it to be applied?

Question 2. How and in what manner may effect be given to penal sentences pronounced by foreign tribunals, especially with reference to habitual criminality and legal incapacity?

Question 3. To resist the tendency of criminals to band themselves together is it not desirable to make participation in criminal acts or agreements a distinct crime, or at least to make all such complicity a legal aggravation?

Question 4. What part does the death penalty play in the penal system of the different countries?

SECOND SECTION — PRISON ADMINISTRATION.

Question 1. What are the essential principles of a modern reformatory system, and upon what rational methods should it be based? Should its application be limited by age, or other classification? If so, under what limitations?

Must we not admit the necessity of special treatment for youthful criminals and even recidivists from 16 to 21 or 23 years, recognizing the plasticity of that age and the possibility of curing by special methods physical, moral and intellectual, the perverted instincts of young offenders? In that case, is it not desirable to give to the courts the power of imposing a special penalty:

(a) Sufficiently long to permit the full application of all means of reformation?

(b) Permitting the free application of conditional liberation?

Question 2. What improvements may be made in the parole system or the system of conditional liberation already existing in certain countries?

Question 3. What are the best means of assuring productive work for prisoners in small prisons?

THIRD SECTION — PREVENTIVE MEANS.

Question 1. What is the effect upon criminality of the legal measures taken in different States in the form of probation or suspension of sentence, etc., to avoid the necessity of imprisonment, especially at the time of first convictions, taking account of the age, character and antecedents of the person? And is it desirable that these and similar laws should be extended?

Question 2. What measures should be taken for the suppression of mendicity and vagabondage, especially in view of modern criminal tendencies?

What rules should be adopted for the organization of work-houses for mendicants and vagabonds?

Question 3. How is it possible, while paying due attention to the correction of the offender, to lighten the heavy economic burden falling upon families owing to the imprisonment of those upon whom they are dependent?

Question 4. Have the experiments of the last ten years made in certain countries, providing special establishments for the detention of inebriate criminals, even recidivists, for long periods (two or three years) been successful or not?

Is it necessary to complete the penitentiary discipline of these establishments by special medical treatment?

FOURTH SECTION — QUESTIONS RELATING TO CHILDREN AND TO MINORS.

Question 1. Should young delinquents be subjected to the penal procedure applicable to adults? If not, what principles should guide the procedure applied to children and youthful offenders?

Question 2. Should special establishments be maintained for abnormal, backward and feeble-minded children showing dangerous moral tendencies?

Question 3. What measures should be taken to correct the idleness and vagabondage of children in large cities?

Question 4. Is it desirable to take special measures for the protection of children born outside of wedlock; and if so, what measures?

A QUESTION FOR INVESTIGATION.

How should local prisons, jails and lockups be constructed and organized?

The Future.

A far larger field of activity is open to the Prison Association than it has so far been able to occupy. There is no similar organization in the whole State of New York.

A Larger Field.

Wholly because of restricted funds, the Association has in the past been compelled to give its attention largely to New York city alone.

Has not the time come for an important extension of the Association's work? The sum of \$75,000 could be expended by the Association annually in work throughout the State, work which would undoubtedly result in an important reduction in the amount of crime committed by those who have already served prison sentences. A state-wide activity of the Prison Association would also embrace frequent and thorough inspection of the State institutions throughout the State, the developing of opportunities of employment for discharged

prisoners, the extension of much-needed aid for prisoners' families and for discharged prisoners, and the development of general information regarding crime and its problems in this State, which the Association is now not able to develop for lack of funds.

The following table indicates the estimated cost of the development above outlined:

A Possible Budget.	1. State-wide parole work, 20 parole agents.....	\$20,500
	Expense of three parole bureaus in the State	5,000
	Traveling expenses of agents.....	2,500
		\$28,000
2. Bureau of inspection of institutions, 3 inspectors..		\$4,500
	Office expenses	1,500
	Traveling expenses.....	2,000
Total.		\$8,000
3. Relief work — for prisoners and prisoners' fami- lies		\$15,000
4. Employment bureau.....		3,000
5. Publicity		2,000
6. Administration, including salaries — secretary, assistant secretary, clerks, stenographers, etc...		23,000
Grand total.		\$79,000

Such a development of the work of the Association may easily take a decade to bring about. That the work is necessary, the Association does not doubt; that the State should lend a generous hand in subsidizing the state-wide parole work of the Association seems obvious.

The Prison Association of New York was chartered to be The Prison Association of the State, not solely of New York city. The cost of the program outlined above is naturally approximate. During the next decade the progress of the Association will probably be along the lines indicated above. To make this progress possible, the Association depends upon the interest of the whole State and not on those residing in New York city alone.



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The Indeterminate Sentence for Crime.¹

BY EUGENE SMITH,

President of the Prison Association of New York.

The indeterminate sentence had its origin in this country as a legal measure in an act, passed by the Legislature of the State of New York in 1877, relating to the State Reformatory at Elmira. The plan embodied in the act was devised by Z. R. Brockway who was the founder and for many years the Superintendent of the Elmira Reformatory. The unparalleled success attained by this reformatory through original methods of training and discipline has attracted wide attention both in this country and abroad. Its convicts are held under the indeterminate sentence, and, when released, are sent to some place of employment secured for them; the release is conditional and they are kept under surveillance for at least six months. A convict who sustains himself and lives an honest and industrious life, avoiding evil associations during this probationary period, receives his final discharge. His subsequent career is not under official tutelage. Of course, the first six months after leaving the prison are the most critical ones in the life of the ex-convict; if, during that period, he has become established in industrial occupation, has lived honestly and manifests a real purpose to live within the law, there arises a fair presumption that he has begun a new career and will not return to a life of crime. The statistics of Elmira Reformatory show that 80 per cent. of its convicts have given this fair presumption of reform. A considerable number of reformatories, adopting measures of treatment similar to those at Elmira, are now established in different States of the Union; and, from its beginning at Elmira, the indeterminate sentence has thus grown in public favor until it is now firmly established in American jurisprudence.

The indeterminate sentence arose from revolt at the injurious results of the old system which made retributive punishment its end in the treatment of convicts. From time immemorial,

¹ A paper prepared for the 1910 International Prison Congress.

the criminal law was contained in penal statutes each of which defined a crime and declared its punishment; and the sum of these statutes in each State constituted its penal code. The punishments of the different crimes varied in severity according to the supposed degree of guilt involved in each. This is the system which has prevailed for centuries in all civilized countries. Prison reform, as advocated by John Howard and other humanitarians; aimed to alleviate prison conditions but did not greatly concern itself with the organic law relating to crimes and criminal procedure. The penal codes remained unchallenged; new crimes arose and new laws were passed with new definitions and new penalties, but the essential structure of the codes, defining crimes and proportioning punishments to guilt, underwent no modification.

The system embodied in the penal codes is built upon the basis of certain elementary propositions upon the correctness of which depend the stability and the success of the system. The most fundamental of these propositions or dogmas are: that the duty of the State toward the criminal is discharged by placing him in confinement and subjecting him to the pains and penalties of imprisonment under a regimen of severity and hardship and that the end to be gained by such imprisonment is the infliction of retributive punishment; that this treatment is to continue for a longer or shorter period according to the degree of guilt involved in the commission of the particular crime of which the prisoner has been convicted; that the period is to be fixed in advance and included in the sentence of conviction in each case, at the time of trial, by the presiding judge, within the limit of time named in the code; and, finally, that, when the prisoner has served the full term of his sentence, he has atoned for his crime and is entitled to be restored to freedom, wholly without regard to his character, purposes, or condition at the time of his discharge. This is the scheme of the penal codes for the attainment of ideal justice; every offender to be punished, and the punishment to be graduated according to the offender's guilt.

These propositions involve certain corollaries of great importance, such as these; that the graver the crime, the greater is the degree of guilt in the person committing it; that the guiltiness of an offender as well as the comparative guilt of different offenders can be gauged by the judge at the trial; that the same sentence pronounced upon two offenders inflicts

the same punishment upon each. To apportion punishment according to guilt is absolutely essential to the realization of that ideal justice which is the aim of the penal codes; and at this point the system of the codes is, and always must be, an utter failure. No two crimes are exactly alike; no two offenders and no two judges are exactly alike. To measure the guilt of any person convicted of crime presents a problem, complex and hopelessly insoluble. Upon a criminal trial, the rules of legal evidence rigorously exclude testimony outside of the *res gestae*. What human intelligence can estimate how far the act of the prisoner was affected by vicious heredity, by defective education, by constitutional weakness of mind or of character, by misapprehension or mistake of facts, by long accumulated provocation, by sudden overwhelming passion or by cherished intention? But these are but a few of the essential elements of guilt, unknown to the judge and unfathomable. How can judges, widely differing in temperament and sagacity, administer the codes with any approach to consistency or equality?

There is no possible standard by which either legislatures or judges can measure the relative gravity of different crimes or declare that the commission of one certain crime involves greater guiltiness than the commission of a certain other crime. Notwithstanding the centuries during which the common law has aided in the harmonizing of the penal codes, there is absolutely no consensus of opinion about the relative enormity of the most common crimes nor about the proper punishment of any single crime. Convincing evidence in support of this statement is found in a comparison of the penal codes of the various States of the Union.

Take the crime of incest; the highest punishment provided for this crime by the Code of Virginia is imprisonment for six months; by the Code of Kentucky, imprisonment for twenty-one years;

For bigamy the highest punishment in Delaware is six years imprisonment and a fine of \$2,000; in Tennessee, twenty-one years imprisonment:

For grand larceny, imprisonment for two years in Louisiana and for twenty years in Connecticut.

For perjury, five years in Connecticut, twenty years in New York, imprisonment for life in Maine, death in Missouri, and imprisonment for ten years with a fine of \$500 to \$2,000 and whipping with forty lashes in Delaware.

These are instances showing the wide diversity of judgment and of legislation about the proper punishment for the same crime and the same diversity is found through the whole catalogue of the codes. But when we come to examine the codes of the several States fixing the comparative gravity of different crimes, the result is even more startling.

The guilt of burglary in Connecticut is twice that of arson, but in Pennsylvania the guilt of arson is twice that of burglary.

So, the guilt of forgery in Kansas is four times that of larceny while in Connecticut the guilt of larceny is four times that of forgery.

The guilt of counterfeiting in Ohio and Minnesota is twice that of perjury but in Rhode Island and Alabama the guilt of perjury is twice that of counterfeiting.

What, now, is the practical result of these discrepancies and inequalities that pervade the penal codes from beginning to end? They prove, beyond dispute, that the aim of the codes to dispense even-handed and equal justice is a deplorable failure; more than that, the failure of the system of the codes is, and must always be, inevitable. The system attempts to do what is, in the nature of things, impossible; it assumes to apportion punishment to the desert of the offender, while that desert depends upon elements that are unknown and inscrutable; and it assumes to measure the inscrutable without even a standard of measurement. Criminal law, administered upon principles and methods so irrational, cannot fail to bring the law itself into popular disrepute and contempt; and the law loses that moral support in an intelligent community which ought to be its strongest bulwark. The convict, comparing his case with that of others, suffers a rankling sense of injustice which intensifies his hatred of the law. The system has failed to repress crime and has failed to protect the public against crime. Every year it discharges from the prisons thousands of convicts simply because they have served their term. The vast majority — nearly all — of these resume the criminal life; they form the most dangerous class of criminals in the country, they become the expert leaders in criminal enterprises and, probably more than any other agency, they serve to increase the prevalence of crime. The punitive system has thus tended positively to augment, instead of diminishing, the volume of crime in all civilized countries.



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The defects of the penal codes already mentioned are those which appear on the surface and are known to all; the vital objection to them lies deeper and is radical. The conception of the relation of the State to crime and to criminals, which underlies the system of the codes, is wholly indefensible. The legitimate object of all laws, civil as well as criminal, is the protection of the people and the promotion of public welfare. The duty of the State toward crime is the same as toward lunacy, contagious disease, tuberculosis, vagrancy, impure foods; the duty to repress and to cure. Mere imprisonment of the criminal without an effort toward his reformation is not less futile than to confine a diseased patient in a hospital without medical treatment. It is worse, because such imprisonment has an affirmatively demoralizing effect which tends to make the criminal more dangerous to the community after his discharge than he was before his commitment. It is the duty of the State to conduct its prisons with a curative mode of treatment, as it does its hospitals and asylums; to establish there such a system of discipline and training as may arouse in the prisoner new hope and new motives, develop self-control and self-respect, give him skill in industry, awaken in him the desire as well as the ability to earn an honest living, to send him out rehabilitated, fitted for freedom. It is in this way only that the State can discharge its duty of giving the people effectual and lasting protection against crime. Reformation is the real and only legitimate aim of the State in the treatment of criminals and every prison should be operated as a moral sanitarium. This is the purpose of the reformatories in the United States toward the realization of which they are making most hopeful progress.

But, someone will say — the criminal ought to be *punished*. There are two answers; the discipline to which prisoners are subjected in these reformatories is so exacting and the life they lead so strenuous that convicts generally deplore being sentenced to a reformatory; they prefer the old punitive prison because they regard the punishment there lighter than in the reformatory. The other answer is that whether any prisoner receives adequate punishment or not only omniscience can decide; the practical thing to do, from the view of humane as well as governmental policy, is to convert the criminal into a law-abiding citizen if possible, and leave the matter of punishment to the Omnipotent. Public protection demands that no

convict should be discharged from prison unless he is fit for freedom. Not retribution, but fitness for freedom is the only legitimate end of imprisonment.

Probably all will agree that if the reformatory treatment can reform the convict and make him a useful citizen, he shall by all means be sentenced to the reformatory. Reformation, fitness for freedom, is then the aim of the sentence; but it is manifestly impossible to predict in any case the *term* of imprisonment and treatment that may be required to accomplish the aim. That depends on the response the convict himself may make to the scheme of discipline and reformative influences to which he is subjected. He enters the prison hating the scheme, hostile to reform, and it is certain that every beneficent agency that may be employed will prove futile unless the prisoner can be led to accept and heartily co-operate with the reformative discipline and training. The prisoner's desire for freedom is the strongest motive to which appeal can be made; and when his discharge from the prison is conditioned upon his falling in with the system and yielding himself to the treatment, there can be no more powerful incentive to submission. This incentive the indeterminate sentence enforces. It makes the prisoner the arbiter of his own destiny; it constrains him to co-operate with the reformative treatment and fit himself for freedom before he can hope for release.

There are certain accompaniments that are indispensable to the success of the indeterminate sentence. It is essential that an accurate record should be kept for each convict, showing the progress he has made and the lapses he has suffered, detailing such occurrences as may throw light upon his character and such tests as may be applied to indicate his power of self-control and the sincerity of his motives. This record, in connection with the probing methods of treatment, is essential both to detect shams and false pretences and to aid the final judgment whether he has become fitted for freedom. A further means to avoid mistaken judgment is afforded by conditional release on parole, providing the ex-convict with a place of employment, which is a part of the reformatory system.

The value of the indeterminate sentence consists in four main results effected by it. (1) It is a potent auxiliary to reform by applying to the convict the strongest possible incentive to use the means provided by the reformatory system to assist him in fitting himself for freedom. (2) It obviates the

inequalities and injustices of the old punitive system by a perfectly just and logical method, which places all its convicts on the same footing and gives to all the same opportunity of winning release. (3) It reverses the attitude of the State toward the convict, from that of a vindictive enemy to that of a benefactor. Under the punitive system, the convict regards the State as an avenger, dealing him a return blow and inflicting on him, as compensatory retribution for his crime, pain and hardship which he endures with angry defiance and hatred. Under the indeterminate sentence, the convict finds the State striving to rehabilitate him and aiding him by every influence and incentive to fit him for freedom and so to gain an early discharge from prison. And finally (4) it tends to secure permanent protection to society and to diminish crime by relieving the public from the terrible incubus of the unregenerated ex-convict.

An objection has been made to the indeterminate sentence that, as the imprisonment of the convict is under a decree of court, he should be released only under the decree of a court. This objection does not affect the general scheme of the indeterminate sentence but relates only a detail in its administration. As how practiced in this country, the fitness for release is generally determined by an appointed board, often called a Board of Parole. This board performs a quasi-judicial function in passing upon each case that comes before it. It might well be called in the statute creating it a "Court of Parole," the legislature having the power to erect new courts. The only practical question is — who should be made the members of such a court? Many think that it should be composed, in part or in whole, of judges of the criminal courts. The wisdom of such a course may well be doubted. It would seem that laymen who have had practical experience in dealing with convicts and have come into personal contact with them both in prison and after discharge would be apt to form a more sagacious and correct estimate of a prisoner's character and fitness for freedom than the judge of a criminal court; for, as already suggested, the rules of legal evidence offer to the criminal judge only the most meagre and superficial data upon which to form any acquaintance with the real character of the prisoners brought before him for trial. The experience of a judge in conducting criminal trials would not, apparently, tend to fit him in any peculiar way for the Court of Parole;

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Kitchen, Dannemora State Hospital

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THE INDETERMINATE SENTENCE FOR CRIME.

It is a cruel satire to condemn a convict to a prison that presents him with no uplifting experience or influence, there to remain until he has *fitted himself* for freedom. Mere confinement and restraint exert a distinctly demoralizing effect and the criminal, shut in upon himself, sinks downward from the natural gravitation of crime. There is for him no beneficent *viz curatrix naturae*; his only hope rests in some positive reforming influence coming from outside himself.

The adoption of the indeterminate sentence among the States of the Union has outrun the establishment of reformatory prisons. In this fact lies the greatest danger of the indeterminate sentence at the present time; the danger that the failure of the sentence, when applied under conditions to which it is not adapted, may bring the sentence itself into disrepute.

But even with a reformatory system, however effective, the indeterminate sentence is not applicable to the greatest crimes. The question has lately received considerable discussion whether this form of sentence should be applied to life-prisoners, that is, to convicts whose crime is made by the penal codes imprisonment for life. One of these crimes, for instance, is the intentional killing of a human being, but "without deliberation and premeditation." The decision, under the indeterminate sentence, that a prisoner has become fitted for freedom, by whatever court or board rendered, is based upon evidence furnished by the prisoner's life and record before and during his imprisonment; the decision may be attended with a degree of certainty that is free from doubt. But, after all, the prognosis that the prisoner is so cured that he will not again commit crime is a human judgment, *probably* true. On the other hand, the fact that the prisoner has wantonly committed murder in a sudden outburst of passion gives good reason to fear that, under the same or a greater provocation, he may repeat the crime; and it is a crime of such frightful and irreparable injury that the public ought to be guarded, as far as may be, from even the *possible* danger of it. The *possibility* of its repetition by the prisoner outweighs the *probability* of correctness in the decision of the Court of Parole. The risk is too great to be prudently taken.

But aside from these gravest crimes which the codes punish with death or imprisonment for life, the indeterminate sentence seems adapted to nearly all offenders; incorrigible offenders especially, should never be set free without offering adequate

protection to society. It may be affirmed of all convicts, great and small, that they ought to receive when in prison the benefit of the reformatory system; earnest effort should be expended to rehabilitate them and they ought not to be discharged upon the community until there is "a reasonable probability that they will live and remain at liberty without violating the law." Their release should not depend upon an arbitrary term fixed in advance and based upon no defensible ground of reason or of justice; it should depend upon their purpose and ability to lead a law-abiding life. To determine when the release can be given with safety to the public, no scheme has yet been devised except the system of reformatory treatment, enforced with the indeterminate sentence. This scheme is but a generation old in the United States and has secured, so far, limited scope and adoption. It is susceptible of indefinite expansion and development; and it gives promise of becoming in this country the most effective means ever yet devised of both reclaiming the criminal and protecting the people against crime.

Penal Statistics.

PRISON STATISTICS FOR THE YEAR ENDING SEPTEMBER
30, 1909.

	Auburn. men.	Sing Sing.	Clinton.	Auburn. women.	Total.
Prisoners in custody September 30, 1908...	1,246	1,500	1,221	96	4,063
Prisoners in custody September 30, 1909...	1,282	1,792	1,246	119	4,439
Received October 1, 1908, to September 30, 1909.....	569	1,114	517	71	2,271
Discharged, same period.....	533	822	492	48	1,895
Transferred to State hospitals.....	15	16	10	6	47
Died.....	13	15	14	1	43
Daily number in custody.....	1,327	1,785	1,308	115	4,535
Paroled.....	127	247	145	13	532
Returned for violation of parole.....	22	4	14	.....	40
On parole, not discharged, September 30th..	108	149	105	20	382
United States Prisoners received.....	5	2	.....	3	10
United States prisoners discharged.....	9	21	3	2	35
United States prisoners in custody, Septem- ber 30, 1909.....	11	10	4	2	27
Life prisoners, September 30, 1909.....	59	11	73	2	145
Electrocuted during year.....	4	3	1	1	9
Previously confined in other institutions....	522	879	947	57	2,405
Married, admitted during year.....	192	436	184	46	858
Single.....	377	678	333	25	1,413
Can read and write, admitted during year.	492	816	450	64	1,822
Can read only, " " " " " " " " " "	3	.....	.....	.....	3
Cannot read or write, " " " " " " " " " "	74	298	67	7	446
Temperate, " " " " " " " " " "	148	270	181	38	637
Intemperate, " " " " " " " " " "	421	844	336	33	1,634
White, " " " " " " " " " "	521	961	443	44	1,969
Colored, " " " " " " " " " "	48	153	74	27	302
Foreign born, " " " " " " " " " "	157	456	128	18	759
Native born, " " " " " " " " " "	412	658	389	53	1,512
Roman Catholic, " " " " " " " " " "	288	560	249	21	1,118
Protestant, " " " " " " " " " "	249	404	228	49	930
Jewish, " " " " " " " " " "	29	149	38	1	217
No religious belief, " " " " " " " " " "	3	1	2	.....	6
Cases of insanity during year.....	21	10	10	.....	41

STATISTICS OF REFORMATORIES—YEAR ENDING SEPTEMBER
30, 1909.

	Napanoch.	Elmira.	Total.
Prisoners in custody, September 30, 1908.	478	1,436	1,914
Prisoners in custody, September 30, 1909.	427	1,344	1,771
Received during year ending September 30, 1909.	378	1,419	1,797
Discharged	429	1,511	1,940
Paroled, " " " " " "	354	1,097	1,451
Returned for violation of parole during year.	28	135	163
On parole, not discharged, September 30, 1909.	165	497	662
Transferred to State hospitals during year.	12	24	36
Died during year.	6	3	9
Average daily number in custody.	449	1,529	1,978
United States prisoners received.	34	34	34
United States prisoners discharged.	18	18	18
United States prisoners in custody September 30, 1909.	23	23	23
Number of cells — single.	496	1,096	496
" " " — double.	136	136	136
" " " — triple.	32	32	32
Previously confined in other institutions.	170	389	559
Cases of insanity occurring during year.	12	24	36
Married, admitted during year.	70	161	231
Single, " " " "	308	1,258	1,566
Can read and write, " " " "	349	1,286	1,635
Cannot read or write, " " " "	29	133	162
Temperate, " " " "	117	721	838
Intemperate, " " " "	261	698	959
White, " " " "	330	1,317	1,647
Colored, " " " "	48	102	150
Foreign born, " " " "	118	853	971
Native born, " " " "	260	566	826
Roman Catholic, " " " "	193	723	916
Protestant, " " " "	147	472	619
Jewish, " " " "	37	218	255
None and miscellaneous, " " " "	1	6	7

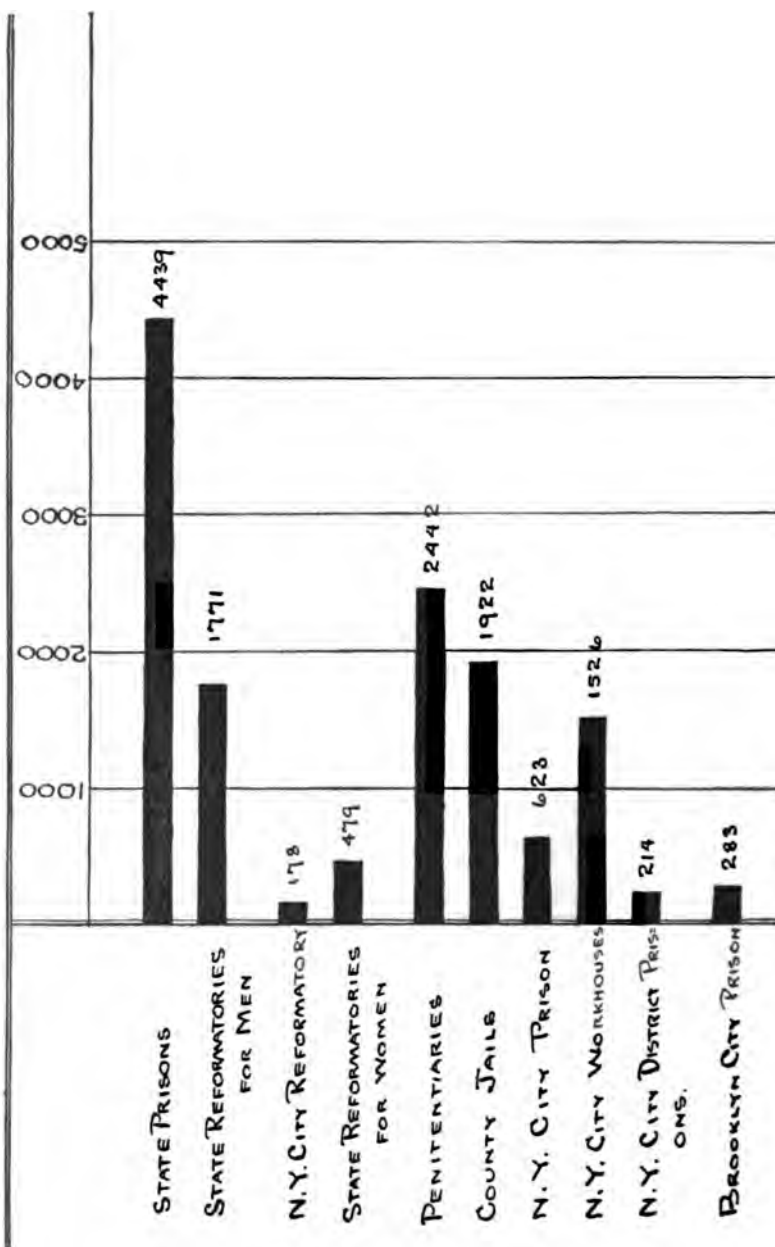
PENITENTIARIES. STATISTICS FOR YEAR ENDING SEPTEMBER 30, 1909.

PENAL STATISTICS.

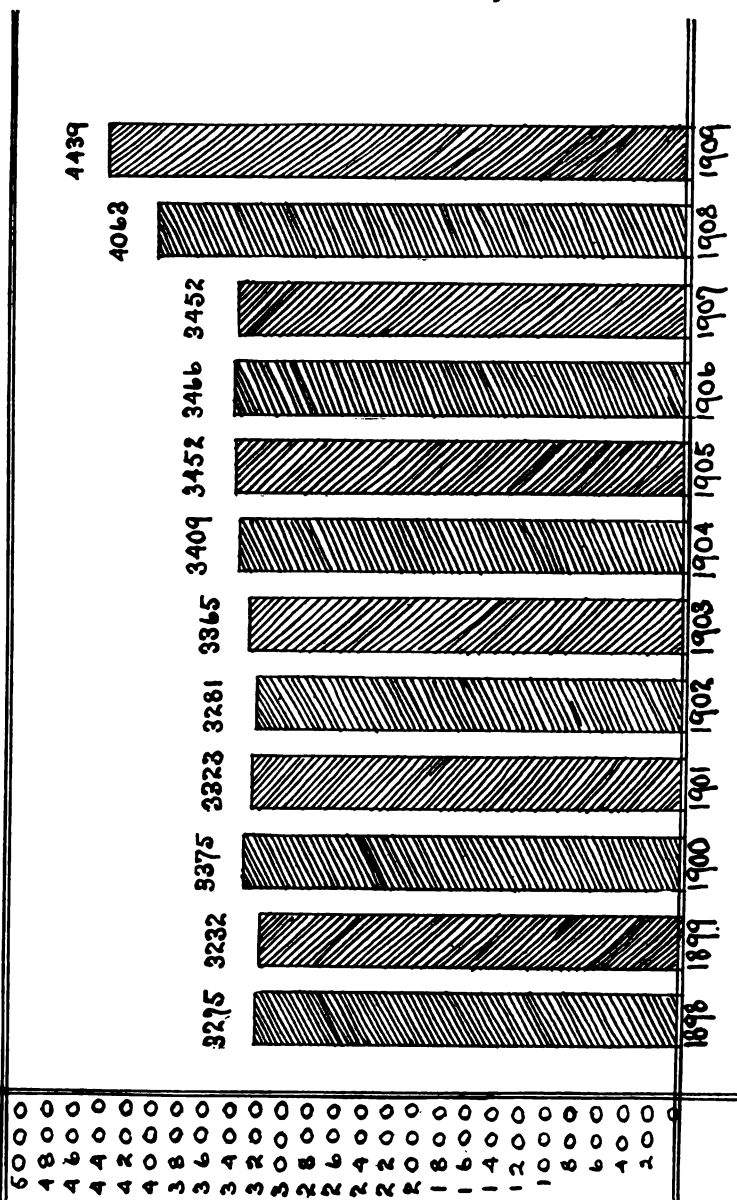
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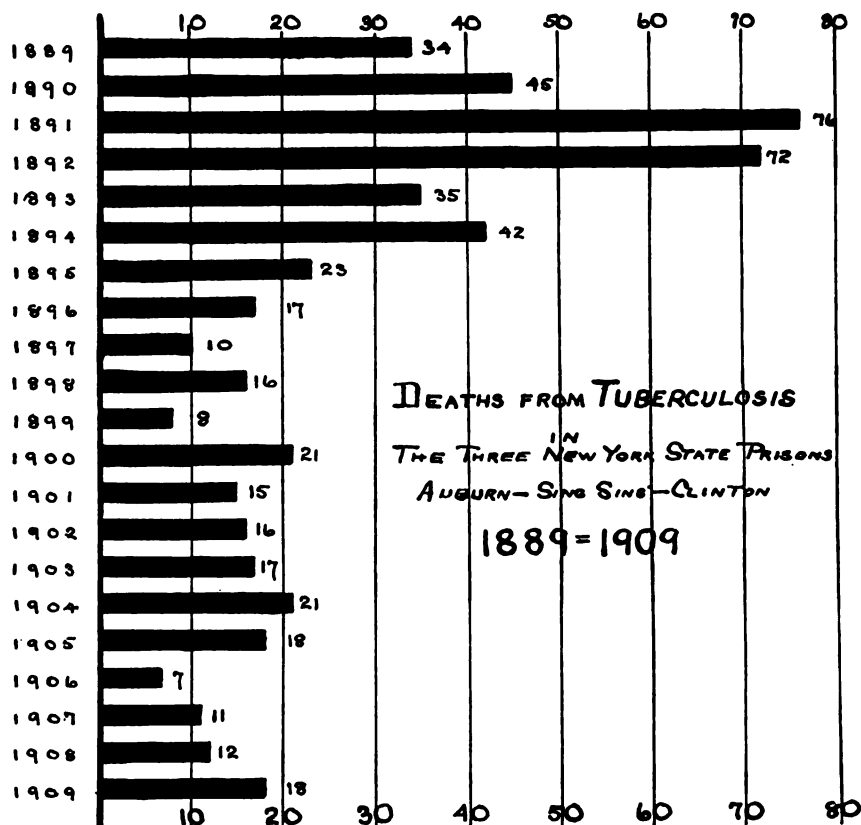
	ALBANY.			ERIE.			MONROE.			NEW YORK.			ONONDAGA.			Total.
	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	
In custody, September 30, 1908.....	326	15	341	322	39	361	399	41	440	991	106	1,097	392	23	415	2,654
In custody, September 30, 1909.....	285	12	297	317	29	346	313	29	342	1,019	87	1,106	317	34	351	2,443
Received during year.....	1,686	54	1,740	4,557	453	4,990	2,534	130	2,664	2,337	202	2,539	1,535	95	1,630	13,543
Discharged during year.....	1,727	57	1,784	4,532	463	4,995	2,620	142	2,762	2,309	221	2,530	1,600	84	1,684	13,755
Transferred to State hospitals.....	1	1	2	1	1	2	1	1	2	17	2	19	4	4	8	25
Died.....	2	1	3	5	1	6	2	1	3	11	1	12	4	1	5	21
Average daily number.....	344	13	357	348	31	379	403	30	433	1,063	94	1,157	397	25	422	2,748
Cell capacity — single.....	.....	.....	40	.....	.....	379	.....	.....	552	.....	.....	848	.....	.....	4	1,823
" — double.....	.....	.....	314	.....	.....	410	.....	.....	.....	.....	.....	264	.....	.....	306	1,314
" — total.....	.....	.....	354	.....	.....	809	.....	.....	552	.....	.....	1,112	.....	.....	310	3,137
Age at admission, 16-21.....	204	2	206	759	15	774	307	3	310	1,114	100	1,214	102	1	103	1,518
" — 22-30.....	473	12	485	1,311	177	1,488	623	38	661	1,031	94	1,125	413	27	440	4,288
" — over 30.....	1,090	40	1,040	2,457	261	2,718	1,604	91	1,695	1,031	94	1,125	1,010	67	1,077	7,666
Sentence — under six months.....	1,558	46	1,584	4,320	448	4,768	2,336	91	2,427	1,040	67	1,107	1,234	76	1,310	11,231
" — 6 months, under one year.....	131	8	149	269	5	274	180	39	219	743	98	841	215	15	230	1,643
" — one year, under two.....	.....	.....	.....	19	1	20	18	1	19	548	37	585	46	4	50	1,643
Confined in institution, 1st time.....	1,135	34	1,169	2,498	126	2,624	1,600	47	1,647	1,725	13	1,738	1,041	58	1,099	8,237
" — " — 2d time.....	112	2	114	740	58	798	497	27	524	512	12	524	185	16	201	2,831
" — " — 3d time.....	138	3	141	310	47	357	187	14	201	50	3	53	180	7	187	1,071
" — " — 4th time and over.....	241	15	250	1,179	222	1,401	280	42	322	50	4	54	189	14	203	2,230
Married.....	210	52	262	927	306	1,233	475	83	558	680	80	760	486	67	553	3,366
Single.....	1,476	2	1,478	3,000	147	3,147	2,059	47	2,106	1,657	122	1,779	1,039	28	1,067	10,177
Can read and write.....	1,555	37	1,592	4,104	419	4,523	2,424	123	2,547	1,880	150	2,030	1,411	83	1,494	11,252
Cannot read or write.....	131	17	148	303	34	337	106	7	113	457	46	503	114	12	126	1,287
Can read only.....	.....	.....	.....	.....	.....	.....	4	.....	.....	.....	.....	.....	.....	.....	4	.....
Temperate.....	9	4	13	2,313	227	2,540	35	5	40	.....	.....	.....	129	2	131	2,664
Intemperate.....	1,677	50	1,727	2,214	226	2,440	2,499	125	2,624	.....	.....	.....	1,396	93	1,489	8,280
White.....	1,589	43	1,632	4,272	368	4,640	2,505	128	2,633	2,173	142	2,315	1,461	80	1,541	12,761
Colored.....	97	11	108	255	85	340	29	2	31	164	60	224	64	15	79	782
Foreign born.....	507	5	512	1,601	134	1,735	648	48	696	989	92	1,081	340	30	370	4,394
Native born.....	1,179	49	1,228	2,926	319	3,245	1,886	82	1,968	1,348	110	1,458	1,135	65	1,200	9,149
Roman Catholic.....	1,360	29	1,389	3,082	269	3,351	1,465	76	1,541	1,368	81	1,449	933	45	978	8,768
Protestant.....	312	25	337	1,401	176	1,577	1,057	51	1,108	1,368	102	1,470	576	50	626	4,502
Jewish.....	14	.....	14	25	31	56	12	.....	12	220	19	239	16	.....	16	312
No religion.....	.....	.....	.....	19	2	21	.....	.....	.....	.....	.....	.....	.....	.....	.....	21

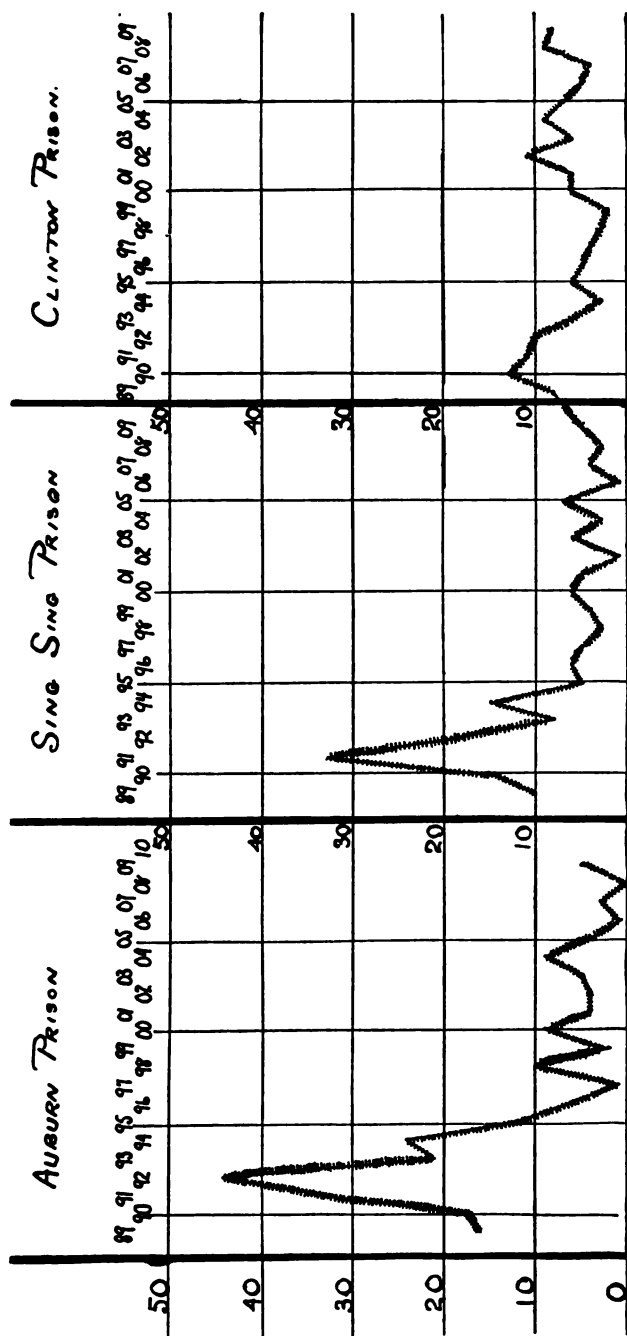
* No record.

POPULATION OF CORRECTIONAL INSTITUTIONS ON SEPTEMBER 30TH, 1909.

TOTAL PRISON POPULATION OF NEW YORK STATE
SING SING, AUBURN, CLINTON PRISONS — SEPT. 30th OF EACH YEAR







DEATHS FROM TUBERCULOSIS, YEAR BY YEAR, 1889-1909, AUBURN, SING SING, CLINTON PRISONS.

The Prison Association of New York.

Treasurer's Report

of the

RECEIPTS AND EXPENDITURES

For the 12 months ending December 31, 1909.

CURRENT FUND.

Balance, January 1st, 1909:

In Mechanics National Bank. \$3,619 66

In corresponding secretary's
hands..... 182 44

\$3,802 10

INCOME.

Donations received (12 months). \$15,892 65

New York State Reformatory,

Elmira..... 1,200 00

Napanoch Reformatory..... 300 00

Rents..... 451 00

Gas rebates and refunds..... 78 45

17,922 10

\$21,724 20

EXPENDITURES.

Salaries..... \$7,203 10

Special payments to Mrs. Isabel

C. Barrows..... 750 00

Office expenses..... 474 03

Stationery and printing, including

cost of replacing typewriter... 856 38

Postage..... 1,063 27

Prisoners (relief)..... 1,473 44

State work and corresponding

secretary's expenses..... 187 98

Car fare and agent's expenses... 337 19

TREASURER'S REPORT.

91

Office furniture and fixtures purchased.....	\$53 25	
Library.....	283 55	
Real estate expenses (135 East 15th st.):		
Taxes and water rates.....	\$100 90	
Repairs and maintenance.....	84 55	
Janitor (12 months).....	429 00	
Miscellaneous supplies, etc.....	62 57	
		677 02
Transferred to reserve fund.....	3,750 00	
		\$17,109 21
		\$4,614 99
<i>Balance on hand, December 31, 1909:</i>		
In Mechanics National Bank....	\$3,766 76	
In corresponding secretary's hands.....	848 23	
Bank of Metropolis....	\$835 82	
Office.....	12 41	
		\$4,614 99

THE PRISON ASSOCIATION OF NEW YORK.

Treasurer's Report

Of the Financial Condition at December 31, 1909.

STATEMENT OF THE "RESERVE FUND."

Balance on hand at January 1, 1909.....	\$2,551 31
Transferred from "Current Fund".....	3,750 00
Interest to December 31, 1909, allowed by New York Life Insurance & Trust Co.....	110 96
Balance at credit of fund, December 31, 1909.....	\$6,412 27

STATEMENT OF "ENDOWMENT FUND."

Balance on hand, January 1, 1909.....		\$3,000 00
Received — legacy of Letitia Hanson.....	\$1,000 00	
Received — legacy of Winfield Tucker.....	5,000 00	
		6,000 00
Interest to December 31, 1909, allowed by United States Trust Co.....		108 66
Balance at credit of fund, December 31, 1909.....		<u>\$9,108 66</u>

STATEMENT OF "ASSETS AND LIABILITIES."

Assets.

Cash on hand:

Mechanics National Bank....	\$3,766 76	
Corresponding secretary's hands	848 23	
N. Y. Life Insurance & Trust (Reserve Fund).....	6,412 27	
U. S. Trust Co. (Endowment Fund).....	9,108 66	
		\$20,135 92

Real Estate:

House and lot No. 135 East 15th St. — at cost	22,500 00	
		\$42,635 92

Liabilities.

Reserve fund.....	\$6,412 27	
Endowment fund.....	9,108 66	
		15,520 93

*Excess of assets over liabilities — net
capital.....*

\$27,114 99

We hereby certify that we have examined the books, accounts and vouchers of the Prison Association of New York for the fiscal year ending December 31, 1909, and that the above statement is correct in all respects.

TOWNSEND, DIX AND YALE,
Certified Public Accountants.

Honorary Corresponding Members.

UNITED STATES.

- Alabama.—R. H. Dawson, Montgomery; Miss Julia S. Tutwiler, Livingston; Mrs. R. D. Johnston, Birmingham.
- California.—Brainard F. Smith, Represa, Sacramento county, Cal.; Earl M. Wilbur, Berkley.
- Colorado.—William F. Slocum, Colorado Springs.
- Connecticut.—John C. Taylor, Hartford.
- Florida.—L. B. Wombwell, Tallahassee.
- Illinois.—Prof. C. R. Henderson, Chicago.
- Indiana.—Thos. E. Ellison, Fort Wayne.
- Kansas.—John D. Milliken, McPherson; R. W. McClaughry, Fort Leavenworth.
- Louisiana.—Clarence F. Low, New Orleans.
- Massachusetts.—W. F. Spalding, Boston; F. B. Sanborn, Concord.
- Michigan.—Levi L. Barbour, Detroit.
- Minnesota.—Samuel G. Smith, St. Paul; Austin H. Young, Minneapolis.
- Missouri.—Thos. P. Haley, Kansas City.
- New Jersey.—E. J. Anderson, Trenton.
- New York.—Z. R. Brockway, Elmira. H. H. Hart, New York.
- North Carolina.—Col. W. F. Beasley, Plymouth.
- North Dakota.—N. F. Boucher, Bismark.
- Ohio.—Gen. R. Brinkerhoff, Mansfield.
- Oregon.—Rev. Thos. L. Eliot, D. D.
- Pennsylvania.—I. J. Wistar, Philadelphia.
- Tennessee.—Rev. P. L. Cobb, Rev. A. L. Phillips, Mrs. Z. N. Williams, Nashville.
- Texas.—John N. Henderson, Dallas; L. A. Whatley, Huntsville.
- Vermont.—L. D. Hazen, St. Johnsbury.
- Wisconsin.—Clarence Snyder, Hon. James E. Heg, A. O. Wright, Madison.
- Washington.—John B. Catron, Walla Walla; Hon. Ernst Sister, Tacoma.

Foreign Countries.

AUSTRALIA.

- Mrs. Stafford Bird, Hobart, Tasmania.
- Sir John Dodds, K. C. B., Lieutenant-Governor, Hobart, Tasmania.

BERMUDA.

- J. H. T. Jackson, Hamilton.

FRANCE.

- A. Rivière, formerly Secretary Société Générale des Prisons, Henri Prudhomme, Secretary Société Générale des Prisons, 14 Place Dauphine, Paris; Mons. Bonneville de Marsangy, No. 7 Rue Pen-thièvre, Paris; Dr. Paul Baillièvre,

- 128 Boulevard Haussman, Paris; R. Bérenger, Vice Président du Sénat, 11 Rue Portalis, Paris.

GERMANY.

- Johann Wichern, Rauhe Haus, Horn bei Hamburg; Herr Heinemann, 250 Hammer Landstrasse, Horn bei Hamburg; Dr. Föhring, President Tribunal of Justice, Hamburg; Pastor Winckelman of the Prison Association of Saxony; Dr. Paul Herr, Rechtsanwalt am Oberlandesgericht, Hamm, Westfalen; Dr. A. Hartmann, Amtsgerichtsrath, 6 W. Courbiere St., Berlin, Germany; Dr. B. Freudenthal, 51 Leerbachstrasse, Frankfort am Main, Germany.

GREAT BRITAIN.

Alfred Davis, 13 St. Ermins Mansions, Westminster, London, E. C.; Dr. Maurice Davis, 11 Brunswick square, London, W. C.; J. J. Henley, Local Government Board Inspector, New Government office, Westminster, London, Eng.; Johanna Margaret Hill, 62 Hagley road, Birmingham, Eng.; Thomas Holmes, Secretary of Howard Association, 43 Devonshire Chambers, Bishopsgate street Without, London, Eng.; Walter R. Crofton, Calmoor Croft, Totton, Hampshire, Eng.; John Macdonnell, London, Eng.; Lord James Hereford, London, Eng.; Leslie Scott, Esq., Liverpool, Eng.; Sir E. Ruggles-Brise, K. C. B., Chairman of Directors of Convict Prisons, Parliament street, London, Eng.; Rev. Canon Horsley, St. Peter's Rectory, Walworth, S. E., Eng.; Arthur Maddison, Secretary, Reformatory and Refuge Union, London, Eng.; Sir John Scott, Malabar House, St. Albans, Eng.; Rev. Dr. W. Douglas Morrison, Marylebone Rectory, N. W., London, Eng.

HOLLAND.

J. J. Gockinga, Arnhem, Province Guilderland; J. Bruinwold-Riedel, Amsterdam.

INDIA.

Rev. Dr. T. J. Scott, Bareilly.

ITALY.

Senator Martino Beltrani-Scalia, Rome; Baron R. Garofalo, 29 Largo Garofalo, Naples.

JAPAN.

Terusaki Oinouye, Kabato, Hokkaido; Rev. K. Tomeoka, 38 Miyamasee, Sibuya, Tokio; H. Sano, Secretary General of the Penitentiary Society of Tokio; Keigo Kiyoura, Minister of Justice, Tokio.

RUSSIA.

Hon. Michael Kazarin, Department of Prisons, St. Petersburg.

SWITZERLAND.

Dr. Guillaume, Bureau of Statistics, Berne.

Life Patrons.

By Contributions of \$500 or More at One Time.

Brown, M. Bayard.
Clark, F. Ambrose.
*Dodge, Mrs. William E.
Gold, Cornelius B.
Gold, Mrs. Cornelius B.
Lewisohn, Misses Alice and Irene.
M. G. S.

McHarg, Henry K.
Rhineland, Miss Serena.
Scott, William H.
Schiff, Jacob H.
Stewart, Lisenard.
Woerishoffer, Mrs. Anna.

* Deceased.

Honorary Members.**By Contributions of \$100 at One Time.**

Archer, George B.	Lenox, Miss.
Billings, Frederick.	Letchworth, William P.
Billings, Mrs. Frederick.	Lorillard, Pierre.
Bogert, E. C.	National Humane Alliance.
Booth, William T.	Moore, Mrs. W. H.
Brown, Alexander Hargraves.	McClymonds, Mrs. L. K.
M. P., Liverpool, England.	McCurdy, Richard A.
Brown, James.	McLanahan, Mrs. C. L.
Bruce, Miss Sarah E.	McLane, Allen.
Bull, H. K.	Mead, J. H.
"C. C."	Morgan, Mrs. David P.
Caldwell, Samuel B.	Morgan, George D.
Carnegie, Andrew.	Olyphant, R. M.
Carnegie, Mrs. Thomas.	Parrish, Daniel.
Caswell, John.	Peabody, George Foster.
Chisolm, B. Ogden.	Peters, E. D.
Chisolm, W. E.	Phipps, H.
Clark, Edward Severin.	Pullen, John A.
Clark, Mrs. Stephen C.	Rand, George C.
Conger, A. B.	Reed, Latham G.
Connor, W. E.	Rhineland, W. C.
Corning, H. K.	Robb, J. Hampden.
Crimmins, John D.	Rockwell, Mrs. J. W.
Crosby, William B.	Roosevelt, C. V. S.
Cutting, R. Fulton.	Russell, Horace.
De Forest, Henry W.	C. P. S.
Dickie, E. P.	Sage, Dean.
Duncan, William Butler.	Sampson, Joseph.
Ehret, George.	Schermerhorn, F. Augustus.
Einstein, Edward.	Sellew, T. G.
Flower, A. R.	Shaw, Mrs. Francis George.
Fraser, George S.	Sheafe, Mrs. Mary.
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Gerry, Peter G.	Smith, Eugene.
Gilman, William G.	Spencer, Mrs. Catherine L.
Gilman, Winthrop S.	Stillman, Miss Charlotte R.
Gould, Edwin.	Stillman, Mrs. T. E.
Halkett, Baroness.	Stokes, Anson Phelps.
Harkness, E. S.	Tarbell, H. S.
Harrah, Charles.	Thomas, Seth E.
Hill, Frederick T.	Van Dyke, Henry J.
Howland, Joseph.	Van Rensselaer, Alex.
Howland, Mrs. Joseph.	Ward, George C.
Howland, Meredith.	Ward, J. Seely, Jr.
Hyde, Mrs. Clarence M.	Webb, William Seward.
Jackson, Samuel Macauley.	Westinghouse, Church, Kerr Co.
Jones, James H.	Weston, R. W.
Keene, James R.	Whitney, H. P.
Kennedy, John S.	White, Mrs. Joseph M.
"L. B. G."	Wood, J. Walter.
Murphy, T.	Wood, William.
Langdon, Woodbury G.	

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Bliss, Ernest C.	Landon, Francis G.
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Chisolm, Mrs. William E.	Milbank, Mrs. Joseph.
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Colgate, William.	Morgan, Miss C. L.
Corse, Israel.	Morris, Henry Lewis.
Crane, Albert.	Mortimer, Mrs. W. Y.
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Field, B. H.	Potter, Howard.
Foster, James, Jr.	Prosser, Thomas.
Gallatin, Albert.	Pyne, Percy R.
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Gilman, Arthur.	Raymond, James I.
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Haggin, J. B.	Roberts, Miss Elizabeth W.
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Halliday, Mrs. E. C.	Sage, Mrs. Dean.
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Herrick, E.	Scott, William H.
Holden, James C.	See, Alonzo B.
Horne, James.	Seilliere, Baroness.
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Hubbard, Mrs. Thomas.	Sherman, Austin.
Hunt, Thomas.	Sherman, B. B.
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Hutchinson, John Wm.	Simpson, John W.
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 Speyer, Leo.
 Stevens, Frederick K.
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 Stokes, Olivia E. P.
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 Talbot, Charles N.
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 Thompson, Mrs. Frederick F.
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 Tucker, Samuel Auchmuty.
 Van Nest, Abram.
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Van Winkle, Miss M. D.
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 Walker, W.
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 Ward, A.
 Wetmore, Samuel.
 White, John J.
 Willard, Mrs. Laura.
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"A. B."	\$5	Astor, Mrs. John Jacob	20
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Abrahams, Mark L.	1	Atterbury, Mary S.	5
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Adams, C. J.	5	Avery, Mrs. S. P.	35
*Adams, Mrs. Thatcher M.	10	Ayres, Samuel, M.D.	1
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Adler, I.	10	B. B. S.	5
Agnew, A. G.	10	Babcock, H. D.	5
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Alexander, Mrs. C. B.	10	Bacon, Mrs. Francis McN., Jr.	5
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Andrews, George W.	1	Bannerman, Francis	1
Anonymous	25	Barbour, Robert	5
"	25	Barclay, Mrs. James L.	10
"	50	Barhydt, Mrs. P. Hackley	10
"	10	Barlow, Mrs. Annie H.	5
"	7	Barnes, Miss Kora F.	10
"	3	Barnes, E. W.	1
Ansbacher, L. A.	2	Barnes, Mrs. H. W.	10
Anthony, E. G.	2	Barnes, Reon	5
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Barr, Mrs. William R.	5	Bloodgood, John H.	15
Barre, Leon	5	Bloodgood, Misses Louise and Ruth	8
Bartlet, Mrs. Henry P.	5	Blume, Frederick	3
Bates, Mrs. B. F.	5	Blumenthal, George	10
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Batjer, Henry	10	Boardman, Miss Rosina C.	5
Batt, C. P.	2	Bodenheimer, Henry	10
Batten, L. W.	5	Boese, Fred	2
Batthey, Foulkes & Trull	1	Bogert, Edward C.	100
Baylies, E. L.	10	Bonner, G. T.	10
Baylies, Mrs. Nathalie E.	10	Booraem, J. V. V.	10
Baylis, Miss Mary	5	Borden, Alfred	10
Beach, Warren C.	5	Borg, Simon, & Company	10
Beadel, Mrs. Frederick	1	Borger, Mrs. C. D.	3
Beadleston, Miss Edith	5	Boskowitz, Adolph	5
Bechstein, Augustus E.	25	Bourne, Miss Emily H.	10
Beckhard, Martin	10	Bourne, Frederick G.	25
Beekman, Mrs. John N.	5	Bowers, O. H.	5
Beemer, James G.	5	Bowne, Mrs. Robert S.	5
Beer, Mrs. Julius	5	Brackett, Miss Anna C.	5
Behar, Nissim	1	Brackett, George C.	10
Behr, Edward	2	Bradford, Mrs. W. H., Sr.	20
Behr, Herman & Company	5	Bradley & Smith	10
Belknap, W. E.	2	Brady, Mrs. James Cox	10
Bell, Mrs. Gordon Knox	10	Braine, Mrs. Theodore	10
Beller, William F.	5	Brand, Herman	1
Belloni, Miss Sadie H.	1	Brannan, Eleanor D.	5
Belmont, August, & Company	25	Brannan, John W.	5
Bendheim, Adolph D.	10	Brazier, Emma J.	5
Benedict, E. Cornelius	10	Breese, Mrs. James L.	20
Benedict, Mrs. J. H.	5	Brennan, Mrs. Michael	2
Benedict, Miss Lydia	3	Breslin, Miss Evelyn M.	3
Benjamin, Mrs. Eastburn	10	Brewster, Robert S.	25
Benjamin, Mrs. H. F.	25	Brice, W. Kirkpatrick	10
Benjamin, Mrs. Joseph J.	5	Brickelmaier, J. B.	5
Benson, Miss Mary A.	1	Bridgham, Emily G.	5
Bentley, Miss Meta E.	2	Brilliant Silk Mfg. Company	5
Bentley, Mrs. John	1	Brinsmade, Charles L.	15
Benton, Andrew A.	2	Bristol, John I. D.	5
Beran, Theodore	26	Brittain, William F.	5
Berard, Eugene M.	10	Brokaw, George T.	5
Bernheim, Henry J.	10	Brooks, Miss Bertha G.	10
Betts, S. R.	10	Brouwer, Theophilus A.	15
Bettys, J. Y.	2	Brown, Addison	5
Bewer, Julius A.	1	Brown, Mrs. F. Harold	5
Bier, Mrs. Sylvan	5	Brown, M. Bayard	250
Bierman, Mrs. I.	1	Brown, Robert I.	5
Biglow, Mrs. Lucius H.	10	Brown, William Adams	10
Billings, Miss Elizabeth	1	Bruff, Richard P.	5
Billings, Frederick	25	Brunswick, Mrs. Emanuel	5
Billings, Mrs. Frederick	25	Bryce, Miss Edith	5
Bingham, Mrs. George F.	5	Bryce, Mrs. Lloyd Stevens	10
Bippart, Achille	10	Bryce, Miss M. T.	10
Birkhead, Hugh	25	Bucknall, Mrs. Henry W. J.	5
Bishop, S. W. M.	5	Buckner, Thomas A.	10
Blair, B. F.	5	Bulkley, Edwin M.	25
Blair, Mrs. D. C.	10	Bulkley, Mrs. Edwin M.	25
Blair & Company	10	Bunting, Miss E. M.	5
Blatchford, Mrs. Samuel A.	5	Burbank, A. N.	10
Bliss, Ernest C.	25	Burdick, Miss Anna Van Eps	5
Bliss, William H.	5	Burke, Walter A.	3
Bloch, Adolph	5	Burnett, C. H.	5
Blood, Samuel S.	20		

D

D. P. F.	10	DuBois, C. D.	20
D. W. C.	25	DuBois, Mrs. E. C.	5
Dana, Charles A.	25	*Duer, Miss H. R.	3
Dana, Miss Janet P.	2	Duer, Miss M. T.	5
Danforth, Charles R.	5	Duggin, Mrs. Charles.	10
Daniels, William L.	2	Dun, Mrs. R. G.	50
Darling, Mrs. William.	5	Dundas, Ralph W.	15
Davenport, Julius B.	5	Dunham, Mrs. Carroll.	10
Davidson, Mrs. M. Louise.	10	Duryee, Mrs. George Van W.	2
Davies, William G.	10	Dutcher, William.	10
Davis, Miss H. Anna.	10	Dutton, E. P.	10
Davis, Thomas.	1	Dwight, Mrs. M. E.	5
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Dayton, Ralph E.	5	Dyer, Mrs. George R.	10
Deas, Mrs. Helen L.	5		
de Coppet, E. J.	10	E	
de Coppet, Henry.	25	"E. E. A."	10
Dederer, Miss P. H.	1	Eason, Mrs.	5
de Forest, Robert W.	10	Eastman, Mrs. Annis Ford.	5
Degener, Mrs. G. L.	5	Eastman, Mr. & Mrs. L. R., Jr.	10
DeGraff, James W.	10	Eaton, Frederick H.	10
Dehon, Miss M. H.	20	Ebbels, Clarence L.	5
De Jonge, Louis.	5	Edgar, Mrs. Adriana A.	25
DeKlyn, B. F.	25	Edison, Thomas A.	10
Delafield, Mrs. John R.	10	Edson, Andrew W.	1
Delafield, Miss Julia L.	10	Edwards, John H.	2
Delafield, Maturin L.	25	Ehret, George.	25
Delano, William Adams.	10	Eidlitz, Robert James.	10
Demuth, William.	25	Einstein, Wolff & Company.	5
de Navarre, Alfonso.	5	Eiseman, Mrs. Samuel.	10
Denny, Miss A. E.	15	Eisenmann, G. F.	5
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Denzer, Mrs. Theodore R.	3	Ellis, William D.	5
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Dey, Anthony.	10	Emmons, Arthur B.	25
Dickerman, George W.	10	Engelhard, Charles.	5
Diedrich, Miss Marie M.	5	Erbsloh, Rudolph.	5
Dinsmore, Mrs. W. D.	25	Erlanger, Abraham.	5
Dodge, Cleveland H.	25	Estabrook, Henry D.	5
Dodge, D. Stuart.	25	Evans, Hartman K.	50
Dodge, Miss Elizabeth W.	10	Ewer, Edward.	1
Dodge, Francis E.	10		
Dodge, Mrs. George E.	25	F	
Dodge, Miss Grace H.	25	F. S.	10
*Dodge, Mrs. William E.	100	Faber, L. B.	1
Dominick, M. W.	10	Fabre, Clarence L.	5
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Donaldson, Mrs. Henry H.	5	Fahnestock, H. C.	25
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Dotter, Charles T.	5	Fearey, Mrs. Morton L.	10
Douglas, Mrs. George W.	10	Ferguson, Mrs. Farquhar.	50
Douglas, James.	25	Ferguson, Louis.	5
Dowd, John J.	10	Field, Mrs. W. D. C.	3
Draper, Mrs. Henry.	10	Fincke, Mrs. B.	1
Draper, Mrs. Wm. P.	5	Fincke, Mrs. C. L.	5
Dreyfous, Estate of Mrs. J. A.	1	Fink, Mrs. M. D.	10
Dreyfus, Mrs. Ella.	1	Fischer, B., & Company.	5
Drisler, Mrs. Herman.	5	Fisher, C. Irving.	5
Duane, Alexander.	5	Fisher, Mrs. H. J.	20

Fisk, Pliny	10
Fiske, George P.	25
Flagg, Miss Beatrice A.	5
Flammer, Charles A.	5
Flanagan, H. Nelson	5
Fleischmann, Charles M.	5
Fletcher, Miss L. A.	5
Flint, Austin	5
Floersheimer, Samuel	10
Floyd, William	10
Floyd-Jones, Mrs. G. Stanton	5
Foot, Sanford D.	5
Foot, Edward B., Jr.	10
Foot, Mrs. Turner	8
Forbes, C. Van Gelder	5
Forgie, James	5
Foster, Frederick de P.	10
Foster, F. E.	10
Foster, Giraud	10
Foster, J. Hegeman	10
Foulk, Mrs. M. P.	5
Fowler, Miss E. A.	4
Fowler, Thomas P.	10
Francis, Charles	5
Francis, Lewis	5
Francis, Mrs. Lewis W.	3
Frank, Emil H.	10
Frankenbach, Charles E.	2
Frankfort, Maurice	5
Fraser, Mrs. George S.	20
Fraser, Miss Jane K.	10
Frazier, Miss Annie	10
French, Mrs. John	10
Frenkel, Emil	3
Freund, John C.	10
Friend	25
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"	6
"	5
"	5
Friends, Three	7
Friend of Judge Foster	10
Friend, N. Y.	2
Fritzsche Bros.	10
Frissell, A. S.	10
Fuller, Mrs. G. A.	3
Funch, Edye & Company	25
Furniss, Miss C.	25

G

"G. W. W.".....	10
Gallagher, E. H.....	2
Gannett, W. C.....	5
Garrettson, Francis T.....	5
Garrigues, W. A.....	10
Geddes, Donald G.....	10
Geer, Mrs. Walter.....	50
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Gerry, Peter G.....	100
Gerry, Robert L.....	25
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Goddard, Ira.....	5

Goddard, Mrs. R. B. G.	10
Godwin, Miss Nora	2
Gold, Cornelius B.	50
Goldberg, Samuel W.	5
Goldenberg Brothers & Co.	5
Goldman, Mrs. Marcus.	2
Goldmark, James.	5
Goldsmith, Max.	5
Goodnow, Mrs. A. F.	5
Goodrich, Mrs. David.	10
Goodwin, James J.	25
Gorton, Joseph A.	5
Gould, Edwin.	100
Graeme, Mrs. Joseph W.	2
Gratwick, W. H.	25
Gray, Henry G.	5
Gray, John Clinton.	10
Greeff & Company.	25
Green, Mrs. George W.	2
Green, William.	5
Greene, J. Ashton.	10
Greenough, John.	10
Greenwood, Miss M. M.	5
Greer, Mrs. Almira.	5
Grinnell, George B.	10
Griswold, Lorenzo.	1
Grossman, Mrs. E. A.	5
Guinzberg, Mrs. Victor.	5
Guiterman, P. L.	2.50
Gunther, Mrs. F. W.	10
Gurnee, A. C.	10
Gwynne, Mrs. John A.	5

H

Haas, Albert.....	5
Haaslacher, Jacob.....	5
Hadden, Mrs. Harold F.....	5
Hagar, Stansbury.....	10
Hage, John D.....	5
Hagen, Arthur.....	5
Haines, Mrs. Charles D.....	5
Halkett, Baroness.....	100
Hall, Mrs. Bolton.....	5
Hall, Mrs. Henry B.....	5
Hall, J. P.....	5
Hall, Thomas R. A.....	10
Halsey, Mrs. E. D.....	5
Halsey, Mrs. Mary D.....	5
Halsey, Mrs. Silas C.....	10
Halsted, Miss Anna B.....	15
Halsted, Miss Laura P.....	5
Halsted, Miss M. M.....	10
Ham, James M.....	5
Hammersley, Miss Catherine L. & L. Gordon.....	10
Hampton, Theodore.....	1
Hare, J. Montgomery.....	5
Harkness, Edward S.....	125
Harkness, L. V.....	25
Harkness, Mrs. S. V.....	25
Harmon, Mrs. William E.....	10
Harper, Mrs. Joseph W.....	5

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Harrison, Mrs. Mary L.	10	Howard, Mrs. E. W.	5
Harrison, Miss Rachel C.	50	Howe, J. Morgan.	5
Hartwell, John A.	5	Howells, Miss G. I.	5
Haskel, Mrs. J. Amory	3	Howells, Mrs. H. C.	25
Havemeyer, John C.	10	Howland, Mrs. Joseph.	10
Hawley, John S.	50	Hoyt, Miss Gertrude L.	5
Hayden, Mrs. H. J.	10	Hoyt, John Sherman.	25
Hayes, Patrick.	10	Hubbard, Thomas H.	50
Haynes, Miss Caroline C.	2	Hubbell, John E.	10
Haynes, Miss Louise de F.	5	Hudson, Mrs. Adelaide.	10
Haynes, W. de F.	5	Hudson, Paul H.	10
Hays, Mrs. Charles M.	2	Hun, Marcus T.	10
Healy, A. Augustus.	25	Hungerford, R. S.	25
Heide, Henry.	10	Hunt, Charles W.	10
Heilner, Percy B.	5	Hurd, Richard M.	25
Heilprin, Louis.	4	Husted, A. N.	5
Heimann, Julius.	10	Husted, Miss M. K.	5
Heinemann, Herman.	10	Hutton, Walter.	5
Heiser, Miss Rosalie.	1	*Huyler, John S.	10
Heissenbittel, Frank H.	1	Hyatt, A. M.	5
Heller, Miss Eugenie M.	1	Hyde, A. F.	25
Heller, L., & Son.	5	Hyde, Mrs. Clarence M.	100
Hencken, Albert C.	50	Hyde, Frederick E.	5
Hencken, Hancke.	5	Hyde, Mrs. Henry B.	25
Henderson, Miss M. W.	5	Hyde, Samuel M.	10
Hendricks, Mrs. Edgar.	5		
Hendrix, Miss Emma.	5	I	
Henriques, Mrs. C. A.	10	In His Name.	20
Henry, William.	10	Ihlder, J. D.	2
Hensle, Charles.	10	Isley, Mrs. John P.	1
Hentz, Henry.	10	Ingersoll, Worthington H.	1
Henz, L. S.	1	Inslee, Miss Eliza.	10
Hepburn, W. M.	5	Insley, Robert B.	2
Hepner, Miss Jeanette S.	1-25	Irving, Mrs. Gugy E.	5
Herrman, Arnold.	5	Iselin, William, & Company.	10
Herrman, Mrs. Esther.	10	Isham, Samuel.	10
Hewitt, Mrs. Abraham S.	10	Ives, Chauncey.	5
Hewitt, Mrs. Peter Cooper.	35		
Hewlett, Mrs. J. A.	5	J	
Heywood, Bertha S.	15	"J. B. C."	30
Heywood, Miss Edith.	2	"J. V. V. B."	10
Higbie, James S.	10	Jackson, Miss Katherine S.	10
Higgins, Charles M.	10	Jackson, Samuel Macauley.	25
Hilyard, George D., Jr.	5	Jackson, Mrs. W. H.	10
Hitch, Mrs. Frederick D.	10	Jacobi, Abram.	10
Hoar, Mrs. E. H.	10	James, Mrs. D. Willis.	25
Hoe, R., & Company.	25	Jameson, E. C.	25
Hoe, Mrs. Robert.	5	Jay, De Lancey K.	5
Hoffman, Mrs. E. A.	20	Jenkins, A. B.	25
Hoffman, F. B.	20	Jenkins, A. W.	5
Hoffman, Joseph E.	5	Jennings, Miss Cecelia D.	5
Hoffman, Samuel V.	10	Jermanin, Miss M. C.	25
Hoffman, Mrs. William B.	10	Jessup, Miss Carrie I.	2
Holmes Electric Protective Co.	10	Jessup, Mrs. Morris K.	50
Holt, Henry.	10	Jex, Isabella, Mrs.	10
Holt, Mrs. L. Emmet.	10	Johnson, Arthur G.	25
Holt, Robert S.	20	Johnson, Burges.	2
Holter, Mrs. E. O.	10	Johnson, Elias M.	2
Homans, Howard P.	5		
Hopkins, J. A. H.	10		
Hopper, Arthur J.	5		

* Deceased.

Johnson, Gilbert H.	25
Johnston, D. V. R.	10
Johnston, Edwin C.	10
Johnston, Mrs. W. J.	5
Johnston, William G.	10
Johnstone, Mrs. F. U.	10
Jonas, William.	5
Jones, Andrew B.	5
Jones, Mrs. M. R.	5
Jones, Paul T.	1
Jones W. S.	10
Judkins & McCormick Co.	5
Judson, Edward.	5
Judson, Henry I.	10
Jungbluth, Karl.	25

K

Kahle, M.	5
Kalle & Company.	5
Kane, Mrs. John Innes.	10
Karelsen, Adolphus E.	5
Kaufman, Mrs. L.	5
Kayser, Julius.	20
Keeler, Edward R.	1
Keller Printing Company.	5
Kellogg, Mrs. Charles.	10
Kellogg, Herbert S.	5
Kelsey, C. H.	25
Kendall, The Misses.	10
Kendall, William S.	10
Kent, Miss Ruth.	1
Kernochan, Mrs. J. Frederic.	10
Kerr, Mrs. L. S.	5
Kerr, Walter.	10
Keteltas, Miss Alice.	30
Keyes, E. L.	10
Keyser, Mrs. Samuel.	10
Kidder, Mrs. A. M.	25
Kilborne, C. T.	10
King, Elliott H.	1
King, Miss Mary R.	5
King, Mrs. Willard V.	5
Kingsland, Mrs. W. M.	10
Kissel, Gustav E.	10
Kittredge, S. D.	1
Klapp, Mrs. Eugene.	5
Knauth, Nachod & Kuhne.	20
Knopf, Samuel.	5
Knothe, A. C.	10
Knox, H. H.	5
Knox, Miss M. J. H., and Miss Olivia B. Vandenberg.	2
Kobbe, George C.	1
Koeber, Paul C.	5
Kornfeld, Alfred E.	5
Koster, C. H.	1
Kouwenhoven, Peter.	5
Kraus, Samuel.	10
Krauskopf, David.	5
Kreischer, J. B.	5
Kunhardt, W. B.	10

L

L. R.	5
L'Amoreaux, J. S.	5
Land, Joseph F.	2
Landon, Mrs. Henry H.	5
Lane, Francis T. L.	5
Lane, Wolcott G.	25
Langdon, Woodbury G.	10
Langdon, Woodbury G., Jr.	15
Langhaar, H. L.	5
Langton, John.	50
Langman and Kemp.	5
Lapsley, Mrs. Howard.	5
Lascoff, J. L.	1
Lasher and Lathrop.	5
Lathers, Miss A.	10
Lawrance, Miss Sara S.	10
Lawrence, Mrs. Arthur W.	5
Lawrence, Miss Caroline T.	5
Lawrence, John Burling.	10
Lawrence, Mrs. Samuel.	5
Lee, Miss Alleine.	10
Lee, Mrs. G.	1
Lee, John Lorton.	5
Lee, Samuel.	5
Lee, W. H. L.	10
Leech, Mrs. John E.	5
Lehmaier, James M.	10
Leland, Mrs. Charles H.	5
Lemlein, Asa.	5
Lenox Ave. Unitarian Ch., Mrs. Wright's Class.	5
Lent, W. D.	10
Lester, Miss Elizabeth.	5
Letchworth, William P.	25
Lethbridge, Arthur E.	1
Leverich, Miss Eliza J.	3
Levi, Sondheimer & Company.	1
Lewis, Mrs. Edwin A. S.	5
Lewis & Conger.	10
Lewisohn, Mrs. Albert.	10
Lewisohn, Miss Alice and Irene.	300
Liebman, Mrs. Adolph.	5
Life, Mrs. S. J.	10
Lincoln, F. D.	2
Lincoln, Lowell.	5
Lindemann, Miss A. S.	2
Lion Brewery.	10
Livingston, Miss Julia.	10
Livingston, Philip.	10
Lloyd, Mrs. D. Herbert.	10
Lobenstine, William C.	20
Locke, John M.	3
Lockman, John T.	10
Lockwood, Mrs. Frederick W.	5
Lockwood, Homer N.	10
Lockwood, Mrs. I. Ferris.	5
Long Island Railroad Company.	10
Loomis, Mrs. Julia S.	5
Loomis, Sherman.	10
Lord, Mrs. Daniel.	5
Lord, George de Forest.	10

Lorsch, E. S.	10	Massey, George.....	5
Low, Seth.....	10	Matthewson, Mrs. Douglas.....	1
Low, William G.....	25	Matzner, Mrs. A.....	2
Lowell, Miss Carlotta R.....	25	Maurice, Miss Marian.....	5
Lowengard, Otto.....	5	Maxwell, Mrs. Robert M.....	10
Ludlam, George P.....	10	Mayer, Abraham.....	10
Ludlow, Edward L.....	20	Mayer, Edward L.....	10
Ludlow, William O.....	2	Mayer, Rachel.....	2
Lusk, W. C.....	5	Mead, Mrs. Frederick G.....	10
Lydig, David.....	10	Meighan, Burton C.....	1
Lyford, Mr. and Mrs. O. S., Jr.....	10	Meigs, Mrs. C. H.....	5
Lyman, Samuel H.....	10	Meigs, Ferris J.....	10
		Meigs, Mrs. Titus B.....	10
		Melcher, John S.....	10
M		Mendelson, Simon.....	5
M. A. R.....	1	Menocal, L. W.....	5
MacBain, Walter.....	5	Merriam, Miss Annie L.....	5
McBee, Silas.....	10	Meserole, Mrs. Catherine M.....	1
McBurney, Charles.....	10	Meserole, A.....	10
McCagg, L. B.....	25	Metzger, Mrs. Jacob.....	2
McClain, J. F.....	5	Metcalf Brothers & Company... ..	10
McClymonds, Mrs. L. K.....	100	Meyer, John H., Company.....	25
McConnell, Frank W.....	5	Meyer, Max.....	5
McCook, John J.....	10	Meyer, William, & Company.....	10
McCord, William H.....	35	Middlebrook, Mr. and Mrs.....	2
McCreery, Mrs. James M.....	10	Middleton & Company.....	10
McCutcheon, James, & Co.....	10	Milbank, Mrs. Joseph.....	50
*McEwen, Daniel C.....	5	Milholland, John E.....	5
McEwen, Thomas, Jr.....	2	Millard, Nelson.....	1
McGeoch, Arthur N.....	10	Miller, Mrs. Alexander.....	10
McKay, C. W.....	5	Miller, Mrs. Charles Wooster... ..	5
MacKay, Henry.....	10	Miller, Miss Louise.....	5
McKiernan Drill Company.....	2	Milligan, Charles.....	2
Macklin, Thomas H.....	5	Mills, Mrs. Mountford M.....	3
McLanahan, Mrs. C. S.....	1	Minford, Miss Agnes A.....	5
McLane, Mrs. Adelaide L.....	5	Minturn, Mrs. John W.....	10
McLane, Guy R.....	25	Mitchell, Mrs. Edward.....	10
McLean, John S.....	10	Mitchell, Mrs. John M.....	10
MacLaren, Mrs. F.....	25	Mitchell, Mrs. Sarah L.....	5
Maclaren & Gentles.....	10	Moffett, Mrs. Cleveland.....	10
McMillin, Miss Maude.....	10	Molineaux, Roland B.....	14.05
MacMurray, Mrs. J. W.....	5	Moller, Edwin Clarence.....	10
Mack, Marc H.....	10	Monteath, Miss Sara J.....	2
Macy, V. Everit.....	25	Moore, Miss Katherine T.....	10
Macy, William H., Jr.....	10	Moore, Mrs. William H.....	25
Maddock, Sidney.....	1	Moran, Mrs. D. E.....	5
Magee, James.....	5	Morgan, Miss C. L.....	25
Main, William.....	5	Morgan, Mrs. David P.....	100
Major, Miss Maria T.....	5	Morgan, George H.....	15
Manierre & Manierre.....	10	Morgan, Mrs. J. B.....	25
Manning, W. T.....	10	Morgan, Mrs. J. Pierpont.....	10
Mansfield, Howard.....	5	Morgan, Mrs. W. Fellowes.....	10
March, Miss Virginia A. & E. G.....	5	Morgan, William Fellowes.....	10
Marie, Mrs. S. S.....	5	Morgenstern, Mrs. E. M.....	5
Marlor, H. S.....	5	Moses, Mrs. E.....	2
Marre, Mrs. Mary M.....	1	Mott, Lewis F.....	5
Marrow, I. L.....	1	Mott, W. F.....	10
Martin, Alfred W.....	2	Munger, Harry C.....	5
Martin, Bradley, Jr.....	10	Munn, C. A.....	10
Martin, James.....	5	Munroe, Mrs. Chester.....	5
Martin, John.....	5	Munroe, Henry S.....	20
Martin, William V.....	5	Murray, Miss Catherine.....	2
Marvin, D. M.....	5	Murray, Miss S. S.....	5
Marwick, James.....	10		

N

Nadoleck, Miss Malva	2
Nagel, Conrad F.	2
Nash, Arthur C.	1
Nathan, Harmon	10
National Humane Alliance	50
Neave, Charles	5
Nelson, Charles N.	50
"Nemo"	5
Neustadter, Mrs. Caroline	25
New Home Sewing Machine Co.	10
Newton, Albro J.	10
Nicholas, William H.	10
Nichols, William W.	5
Nielsen, S.	10
Northrup, Mrs. William Perry	2
Noyes, Mrs. Henry D.	5

O

O'Connor, Thomas H.	25
Odell, C. Fred.	2
Ogden, Mrs. Charles W.	10
Ogden, Miss Mary F.	10
Ogden & Wallace	10
Ogilvie, J. S.	10
Olcott, Dudley	25
Olcott, Mrs. E. E.	5
Olcott, George M.	25
Olmsted, Mrs. Charles T.	15
Olney, Mrs. Peter B.	1
Olyphant, F. N.	5
Olyphant, Robert M.	10
O'Neill, Mrs. Hugh	10
Oothout, Mrs. Jane E.	10
Opdycke, Mrs. Emerson	10
Opdycke, L. E.	5
Opdyke, Mrs. W. S.	5
Openhym, Mrs. Adolphe	5
Openhym, William & Sons	10
Oppenheimer, Henry S.	5
Ormsbee, A. I.	5
Orr, Alexander E.	20
Orth, Charles D.	10
Osborn, Mrs. George W.	1
Osborn, William Church	25
Osborne, Thomas Mott	10
Ostron, Mrs. H.	5
Otterson, Miss Lucy	5
Ottley, James H.	10
Owen, Samuel	5
Owens, W. W., Jr.	5

P

Palmer, Noah	10
Parish, Henry	50
Parish, Miss Susan D.	50
Parker, Mrs. A. W.	5
Parker & Graff	5
Parker, R. M.	5
Parkin, The Misses	10
Parsons, Mrs. Charles	10
Parsons, Mrs. Edwin	10

Parsons, Mrs. F. T.	10
Parsons, John E.	10
Parsons, William Barclay	5
Partridge, John N.	5
Passavant & Company	5
Pavenstedt, Adolf	20
Payne, Miss S. K.	2
Pearl, Mrs. Frederick W.	50
Pearson, Mrs. Frederick	25
Pearson, Miss Josephine S.	2
Peck, Miss Ellen	5
Pedersen, Dr. James	1
Pegram, G. L.	5
Pell, Alfred D.	5
Pelletreau, Vennette F.	5
Penfold, Miss Josephine	25
Perkins, Mrs. Edward H.	10
Perkins, Mrs. Gilman H.	2
Perry, W. Herbert	2
Peters, Mrs. Charles G.	5
Peters, Mrs. Edward McClure	5
Peters, Miss Julia	2
Peters, William R.	5
Peters, Mrs. William R.	5
Peterson, Mrs. Wilson	5
Pfizer, Charles	10
Phelps, Mrs. Charles	7
Philbin, Eugene A.	25
Philbrick, Edwin C.	5
Phipps, Henry	100
Phipps, Miss Sarah M.	5
Pillot, Miss Clara	15
Pinkerton National Detective Agency	10
Pitkin, W. F.	5
Planten, John R.	10
Plaut, Albert	10
Polhemus, Miss R. A.	3
Polk, Dr. and Mrs. William M.	10
Pollak, Mrs. Gustav	5
Pomroy, Mrs. H. K.	25
Poor, Mrs. Charles L.	5
Pope, Miss Elizabeth A.	5
Pope, Miss Theodate	5
Porter, Mrs. Clarence	5
Porter, Mrs. Edward E.	10
Post, A. S.	10
Post, James H.	25
Potter, Miss G. H.	5
Pouch, F. E.	5
Powell, Bradford	1
Prall, John H.	10
Pratt, Mrs. Charles M.	25
Pratt, Mrs. George Dupont	10
Pratt, Herbert L.	25
Pratt, S.	5
Presbrey, Clifton H.	5
Preston, Miss Alice	10
*Price, Mrs. Bruce	10
Prime, Miss Mary R.	10
Prindle, Frank M. & Company	20
Proudfit, Mrs. Alexander	3
Pruyn, Mrs. Charles L.	10

Pruyn, Mrs. Robert D.....	5	Rosenbaum, Solomon G.....	10
Pulitzer, Miss Constance.....	5	Rossiter, Mrs. Arthur V.....	5
Pumpelly, Raphael.....	5	Rothschild, Brothers & Co.....	5
Purcell, Thomas.....	2	Rusch, & Company.....	10
Putnam's Sons, G. P.....	10	Rushmore, J. D.....	2
		Russell, James W.....	2
		Ruttenau, Maximilian M.....	1

Q

Quinby, Franklin.....	5
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R

R. & G. Corset Company.....	5
Radley, John J.....	10
Raleigh, Charles J.....	5
Ramsperger, Gustav.....	2
*Rand, William W.....	2
Raven, Anton A.....	10
Raymond, R. W.....	10
Read, William A.....	25
Redmond, Miss Emily.....	20
Reed, Miss Elizabeth E.....	2
Rees, Louis J.....	10
Renshaw, Mrs. A. H.....	5
Requa, Mrs. H. M.....	10
Reutter, Mrs. Robert.....	10
Rhoades, Miss J. H.....	5
Rhoades, Miss Nina.....	35
Rice, Ignatius.....	5
Rich, B. A.....	50c
Richard, Mrs. Auguste.....	25
Richard, Miss Elvine.....	10
Richards, Mrs. Eben.....	5
Richardson, Mrs. William J. and Miss Bertha.....	3
Richmond, Mrs. David.....	5
Riggs, George C.....	5
Riker, Samuel.....	10
Ripley, Miss Susan S.....	5
Risley, G. H.....	50
Rives, George L.....	20
Rives, Mrs. Reginald W.....	5
Robb, J. Hampden.....	10
Robbins, Chandler.....	10
Robbins, Mrs. Mary A.....	10
Robbins, Percy A.....	15
Robbins, R. H.....	11
Robbins, W. H.....	5
Roberts, John E.....	10
Roberts, Mrs. M. L.....	5
Robin, Joseph G.....	10
Robinson, Eli K.....	25
Robinson, Mrs. Kenneth D.....	5
Robinson, Mrs. Thomas D.....	5
Rockwell, Miss Hannah M.....	5
Rodewald, Miss A. L.....	3
Roessler & Haaslacher Chemical Co.....	10
Rogers, Francis.....	5
Root, Charles T.....	10
Rosenbaum, Selig.....	10
Rosenwald, E. & Brother.....	1
Ross, A. E.....	2
Rossbach, Jacob.....	5

S

"S. F. H.".....	10
Sabin, Charles H.....	10
Sachs, Edward.....	2
Sachs, Paul J.....	5
Sachs, Mrs. Samuel.....	10
Sackett, Henry W.....	5
Sage, Dean.....	100
Sage, Mrs. Dean.....	50
Sahler, Mrs. A. F.....	5
Sahler, Miss Helen G.....	3
Saltonstall, Miss Grace M.....	1
Sampson, Mrs. E. Pope.....	5
Samuel Brothers.....	5
Sanford, Edward T.....	5
Sard, Grange.....	5
Saul, Charles R.....	5
Saunders, Arthur C.....	5
Sayre, Miss Mary Hall.....	10
Schenck, Frederick B.....	10
Schenck, Miss H. Wilhelmina.....	2
Schermerhorn, Edwards F.....	10
Schieffelin, William Jay.....	20
Schieffelin, Mrs. William Jay.....	10
Schieren, Mrs. Charles A.....	5
Schiff, Jacob H.....	25
Schiff, Mortimer L.....	25
Schley, Mrs. J. Montfort.....	10
Schmidt, F. Leopold.....	5
Schniewind, Heinrich Jr.....	10
Schoverling, Daly & Gales.....	5
Schultheis, Henry.....	2.50
Schuyler, Miss Georgina.....	5
Schuyler, Miss Louisa Lee.....	5
Schwab, Miss Emeline.....	5
Schwab, Mrs. Lawrence H.....	5
Schwab, Mrs. Theresa.....	5
Schwartz, Louis.....	10
Scofield, Henry C.....	5
Scott, George S.....	50
Scott, Miss Louise B.....	10
Scott, Walter.....	5
Scribner, Mrs. J. Blair.....	20
Seager, Henry R.....	5
Seaman, F. A.....	5
See, A. B., Electric Elevator Company.....	15
Seeley, Mrs. Nathan.....	5
Seeman, Daniel W.....	10
Seilliere, Baroness.....	50
Selden, A. K., Jr.....	1
Seligman, Edwin R. A.....	5
Seligman, George W.....	10
Seligman, Isaac N.....	25

Seligman, Miss Madeline.....	10	Stein, Paul F.....	1
Sellw, T. G.....	10	Steinway, Frederick T.....	5
Shaw, Samuel T.....	5	Stern, Benjamin.....	10
Shedd, Mrs. W. W.....	2	Stern, Mrs. Leopold.....	5
Sheldon, Clarence D.....	5	Stetson, Francis Lynde.....	25
Sheldon, E. B.....	10	Stettheimer, Mrs. R. W.....	1
Shelton, George G.....	10	Stevens, Mrs. Byam K.....	15
Shepard, Edward M.....	10	Stevens, Miss Josephine L.....	3
Shepard, Mrs. Elliott F.....	25	Stevens, Richard.....	10
Sherman, Mrs. Charles E.....	10	Stevenson, Mrs. R. W.....	10
Sherman, Mrs. Frederick D.....	5	Stewart, Lispenard.....	25
Sherman, Frederick T.....	5	Stewart, Mrs. Louis.....	5
Sherrill, Miss Helen L.....	3	Stewart, Mrs. P. H.....	10
Sibley, Mrs. H. W.....	10	Stewart, W. R.....	10
Sichel, Rene A.....	5	Stillman, Miss C. R.....	50
Silberstein, Abraham.....	2	Stimson, Henry L.....	10
Silliman, H. B.....	25	Stimson, L. A.....	25
Sills, J. Stanley.....	5	Stine, J. R., & Company.....	10
Simmons, J. S.....	5	Stirn, L. & E.....	10
Simon, A. L.....	10	Stokes, Anson Phelps.....	10
Simons, Charles D.....	5	Stokes, J. G. Phelps.....	5
Simons, Charles D., Jr.....	5	Stone, Miss Annie.....	10
Simpson, Alexander.....	10	Stone, Miss Ellen J.....	50
Simpson, Mrs. W. K.....	2	Story, Miss Lydia M.....	5
Skiddy, Mrs. W. W.....	10	Story, Mrs. Marion.....	20
Skolney, Joseph & Company.....	5	Story, Mrs. M. H.....	20
Skougaard, Jens.....	25	Straus, Percy S.....	10
Slade, Francis Louis.....	5	Strauss, Albert.....	10
Slee, J. Noah.....	5	Strong, Henry M.....	2
Slicer, Mrs. Thomas R.....	1	Strong, Mrs. J. R.....	6
Sloan, Miss Mary A.....	10	Strong, Selah B.....	5
Sloan, Mrs. William S.....	5	Strong, Mrs. Thomas S.....	5
Sloane, Mrs. William D.....	50	Strong, Thomas S.....	5
Smidt, Thomas.....	5	Stuyvesant, Miss Anna W.....	10
Smith, A. H.....	5	Sullivan, Miss Isabella.....	10
Smith, Mrs. Alfred.....	5	Sullivan, Mrs. James.....	3
Smith, Mrs. Andrew A.....	5	Sumner, Miss Sarah F.....	5
Smith, Cornelius B.....	10	Susquehanna Silk Mills.....	10
Smith, Eugene.....	25	Swan, Mrs. J. R.....	5
Smith, George C.....	10	Swayne, Francis B.....	10
Smith, George H.....	5	Swezey, Mrs. Christopher.....	5
Smith, James Rufus.....	10	Swords, Miss P. C.....	5
Smith, William Alexander.....	40	Sylvester, Isaiah W.....	1
Smith, Mrs. W. Wheeler.....	10	Symmes, William B.....	5
Snare & Triest Company.....	10		
Soltmann, Edward G.....	10		
Solomon, George.....	25		
Sooysmith, Charles.....	5		
Sparks, T. Ashley.....	5		
Spencer, Miss Carita.....	2		
Spencer, Charles H.....	5		
Sperry, W. M.....	10		
Speyer & Company.....	10		
Spool, Cotton Company.....	25		
Spring, Miss Anna Riker.....	5		
Squire, George H., Jr.....	15		
Stammer, George.....	5		
Starr, Louis Morris.....	10		
Stebbins, E. Vail.....	1		
Steele, Charles.....	10		
Steers, James R.....	10		
Steers, Lawrence.....	5		
Stein, Miss Helen A.....	2		

T

Tack, Theodore E.....	5
Tailer, Edward N.....	10
Tapley, Jesse F.....	1
Tappin, Charles L.....	10
Tappin, J. C.....	10
Tate, J. M.....	10
Tatlock, John.....	5
*Taylor, Lloyd.....	25
Taylor, S. Frederick.....	15
Thacher, Thomas.....	10
Thomas, Mrs. Seymour P.....	10
*Thomas, Mrs. T. G.....	5
Thompson, Mrs. F. F.....	35
Thompson, Morris S.....	10
Thomson, John W.....	10
Thorn, William E.....	25

[illegible]

* Deceased.

DONATIONS OF CLOTHING, READING MATTER, ETC. 109

Wilcox, Ransom E.....	5	Witherbee, Mrs. F. S.....	15
Wilkin, Mrs. William Porter....	5	Woerishoffer, Mrs. Anna.....	25
Wilkinson Brothers & Company.	3	Woerishoffer, Miss Carola.....	6
Willcox, William G.....	5	Wolff, Lewis S.....	10
Willenborg, C., & Company.....	5	Wolfe, S. Herbert.....	5
Willets, John T.....	15	Wollman, Henry.....	1
Willets, Miss Martha T.....	10	Womrath, Andrew K.....	5
Williams, Frank D.....	5	Wood, Henry F.....	1
Williams, Mrs. W. B.....	2	Wood, James.....	10
Williamson, F. Stuart.....	25	Woolley, Mrs. A. E.....	2
Willis, W. P., & Company.....	25	Woolley, Mrs. George I.....	2
Wills, Charles T.....	5	Wormser, Mrs. Isidor.....	10
Wilmer, Mrs. J. R.....	2	Wright, Albert S.....	2
Wilson, Mrs. H. S.....	10	Wright, Miss E. J.....	10
Wilson, Orme, Jr.....	25	Wurzburger, Adolph.....	5
Wilson, Samuel M.....	50	Wyckoff, Mrs. Peter B.....	5
Winthrop, Egerton L.....	25		
Winthrop, Miss Marie.....	25	Z	
Wise, Edward H.....	10	Zabriskie, Mrs. George.....	10
Wisner, Miss Elizabeth H.....	10	Zabriskie, Mrs. Titus.....	10
Wisner, Charles.....	10	Zehnder, Mrs. C. H.....	10
Wisner, Miss Josephine.....	10	Zimmerman, Mrs. J. E.....	10
		Total.....	\$15,892.65

Donations of Clothing, Reading Matter, Etc.

All Souls Parish House.	Kellogg, Mrs.
Birnstock, D. A.	Kendall, Miss.
Blanchard, F. L.	Kunhardt, W. B.
C. E. Society.	Lawrence, John B.
Clark, Mrs. Cyrus W.	Lincoln, F. W.
Cumings, Mrs. J. B.	Lindenmeyer, Henry & Sons.
Draper, Mrs. Henry.	Ludlan, George P.
Dreyfuss, Mrs. L.	Lydig, David.
Dutton, E. P. & Co.	Machen, Mrs. C. V.
Emerson, Dr. J. H.	Miller, Mrs. A.
Enhaus, W. H.	Nathan, E. J.
Flower Mission Society.	Needlework Guild.
Frank, Mrs. L. E.	Opdycke, Mrs. Emerson.
Gorham, E. S.	Parker, Mrs. A. W.
Hadden, Mrs. H. F.	Place, Mrs. George.
Hospital Book and Newspaper So-	Sahler, Mrs. A. F.
ciety.	Schwab, Mrs. N.
Howell, L. C.	Schermerhorn, Mrs. A. E.
Howell, William P.	Smith, Mrs. Eugene.
Howson, Mrs.	Stark, M. M.
Ingersoll, Mrs. W. H.	Stebbins, Mrs. E. Vail.
Jackson, Mrs. George T.	Steers, James R.
Jacquelin, Mrs. John H.	Stout, Mrs. Joseph S.
Kappel, R.	Vail, Mrs. O. W.
Kaufman, S. Walter.	Yewell, George Henry.

Constitution and By-Laws.

AN ACT to incorporate the Prison Association of New York.
Passed May 9, 1846, by a two-thirds vote. (As subsequently amended.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. All such persons as are now and hereafter shall become members to the said association pursuant to the constitution thereof, shall and are hereby constituted a body corporate by the name of The Prison Association of New York, and by that name have the powers that by the third title, of the eighteenth chapter, of the first part of the Revised Statutes, are declared to belong to every corporation, and shall be capable of purchasing, holding and conveying, any estate, real or personal, for the use of said corporation, provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation; and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

Article First.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of prisons, whether for cities, counties or States.
3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

Article Second.

The officers of the society shall be a president, vice-presidents, a recording secretary, a corresponding secretary, and a treasurer, and there shall be the following standing committees, viz.: a finance committee, a committee on detentions, a committee on prison discipline, a committee on discharged convicts and an executive committee. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society, and not more than twenty-five shall be persons other than officers.

Article Third.

The officers named in the preceding article shall be ex-officio members of the executive committee, who shall choose one of their number to be chairman thereof.

Article Fourth.

The executive committee shall meet once in each month, and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

Article Fifth.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or in his absence one of the vice-presidents, shall designate.

Article Sixth.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars shall constitute an honorary member of the association for life, and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

Article Seventh.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

Article Eighth.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

Article Ninth.

Any society having the same objects in view may become auxiliary to this association by contributing to its funds and cooperating with it.

Article Tenth.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

Article Eleventh.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers elected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects,

and the said executive committee shall have the same powers to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations, relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment, of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper, and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent during their minority, to such persons and at such places, to learn such proper trades and employments as in their judgment will be most conducive to their reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee by such committees as they shall from time to time appoint, shall have power, and it shall be their duty to visit, inspect and examine, all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that by the twenty-fourth section, of title first, chapter third, part fourth of the Revised Statutes are invested in inspectors of county prisons and the duties of the keepers of each prison that they may examine shall be the same in relation to them, as in the section aforesaid, are imposed on the keepers of such prisons in relation to the inspectors thereof;

provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of this State, or one of the judges of the Supreme Court or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

By-Laws.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at the annual meeting shall be as follows:

1. Election of chairman and secretary.
2. The reading of the minutes of the last meeting.
3. Report of committee on nominations.
4. Election of officers.
5. Report of corresponding secretary on the work of the year.
6. Annual report of the treasurer.

IV. The order of business at every other stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

V. The chairman shall appoint all standing and special committees and decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all meetings of the committee.

secretary for current disbursements, and shall deposit to the credit of said bank account all moneys he may receive from the treasurer drawn from the general fund.

The committee on finance shall audit and report upon accounts of the treasurer and of the corresponding secretary.

At each regular meeting of the executive committee the treasurer shall make a detailed statement of the receipts and disbursements for the preceding calendar month. He shall make a statement showing investments and the receipts and disbursements of the endowment and reserve funds; he shall make, at the annual meeting of the association, a detailed statement of receipts and disbursements for the fiscal year.

XI. It shall be the duty of the committee on detentions:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and in Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

XII. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

5. To consider the internal organization of the management of prisons, and the physical and moral influences to be exerted on the prisoners during their confinement; to report upon their health, reformation, upon convict labor, administration and internal police, on the comparative merits of different prison systems, and on the visitation of prisons and houses of reformation.

XIII. It shall be the duty of the committee on law to examine and report from time to time upon the penal legislation of the State, with their suggestions for the amendment thereto, to consider questions relating thereto which are under discussion in the press or the Legislature, including pending bills, and report their views and conclusions upon them; also to care for the law business of the association.

XIV. It shall be the duty of the committee on house to care for the maintenance of the real estate of the association.

XV. It shall be the duty of the committee on library to see that it is properly housed and catalogued and to take steps for its increase.

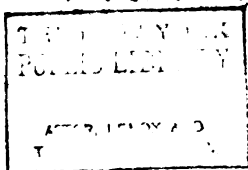
XVI. One or more agents may be appointed by the executive committee to assist the standing committees in their duties.

XVII. The president, chairman of the executive committee, and corresponding secretary shall be members, ex officio, of all the standing committees.

XVIII. No alteration shall be made in these by-laws except upon notice of the proposed amendment given at a previous meeting of the executive committee.

JUN 14 1911

Reformation



BEING THE SIXTY-SIXTH ANNUAL REPORT

OF THE

★ PRISON ASSOCIATION OF NEW YORK

FOR THE YEAR

1910

"NO PRISONER, NO MATTER WHAT HIS AGE OR PAST RECORD, SHOULD BE ASSUMED TO BE INCAPABLE OF IMPROVEMENT."—RESOLUTION OF INTERNATIONAL PRISON CONGRESS, WASHINGTON, D. C., 1910.

ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1911

A Reformatory Creed.

The Eighth International Prison Congress, convening at Washington, D. C., in October, 1910, adopted the following resolutions of belief:

A. The essential principles on which the modern reformatory method is based are—

1. That no prisoner, no matter what his age or past record, should be assumed to be incapable of improvement.

2. The conviction that it is in the public interest not merely to impose a sentence which shall be retributive and deterrent, but also to make an earnest effort for the reformation of the criminal.

3. That this reformation is most likely to be accomplished by religious and moral instruction, mental quickening, physical development and such employment as will place the prisoner on a good industrial basis.

4. That the reformatory system is incompatible with short sentences, and a relatively long period of reformatory treatment is more likely to be beneficial than repeated short terms of imprisonment under severer conditions.

5. That reformatory treatment should be continued with a system of liberation on parole under suitable guardianship and supervision on the advice of a suitable board.

B. It is strongly to be desired that a system of special treatment be adopted for adolescent criminals, whether recidivist or not.

C. Tribunals should be able to sentence to special treatment which (a) should be sufficiently long to permit of the full application of all possible means of reformation, (b) shall admit the right of conditional liberation as mentioned above.

THE NEW YORK
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ASTOR, LENOX AND
TILDEN FOUNDATIONS.



Elmira Reformatory — Office

REFORMATION

BEING THE SIXTY-SIXTH ANNUAL REPORT

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Preface.

The year 1910 was distinguished in the United States by the convening at Washington, D. C., of the Eighth International Prison Congress. The resolutions adopted at the Congress were highly gratifying to all Americans who have an active interest in the treatment of the delinquent.

The present annual report of the Prison Association of New York discusses at some length many of the resolutions of the Congress. We also report upon the year's work of the Association. By virtue of the act of incorporation of the Prison Association of New York, this report is submitted to the Legislature of the State of New York.

This is a report for the year 1910, and is so indicated on the title page, in distinction to the former practice of the Association of designating the report by the year in which it is published. Hence, to the casual observer, there would seem to be two 1910 reports of the Association, a condition that of course will not occur in future reports.

WHAT THE PRISON ASSOCIATION DOES.

Act of Incorporation, May 9, 1846.

Article First.

The objects of the Association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of prisons, whether for cities, counties or states.
3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.



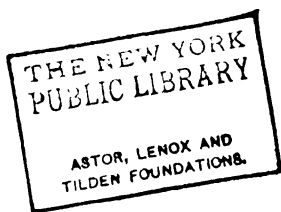


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The Prison Association of New York.

Officers for 1911.

President.

EUGENE SMITH.

Recording Secretary.

SAMUEL M. JACKSON.

General Secretary.

O. F. LEWIS.

Treasurer.

J. SEELY WARD, 135 E. 15th St., N. Y.

Vice-Presidents.

Rt. Rev. DAVID H. GREER,	EUGENE A. PHILBIN,
ROBERT W. DEFOREST,	JACOB SCHIFF,
FELIX ADLER,	THOMAS MOTT OSBORNE.

Executive Committee.

W. W. BATTERSHALL,	JAMES McKEEN,
B. OGDEN CHISOLM,	EDWARD B. MERRILL,
J. FENIMORE COOPER,	FRANK D. PAVEY,
JOHN H. FINLEY,	DEAN SAGE,
AUSTIN FLINT, M. D.,	DECATUR M. SAWYER,
CORNELIUS B. GOLD,	GEORGE G. SHELTON,
WM. H. GRATWICK,	GINO C. SPERANZA,
HENRY E. GREGORY,	FRANK TUCKER,
ALEXANDER M. HADDEN,	EVERT JANSEN WENDELL,
JOHN W. HUTCHINSON,	MORNAY WILLIAMS,
GEORGE W. KIRCHWEY,	JAMES WOOD,
THOMAS LE BOUTILLIER.	

Standing Committees 1911.*

Law Committee, Section 1.

Parole, Probation and Penal Code.

Messrs. KIRCHWEY AND SAGE.

Law Committee, Section 2.

Penal Institutions.

Messrs. GREGORY, PAVEY AND WILLIAMS.

Law Committee, Section 3.

Prison Discipline.

Messrs. FLINT, McKEEN, PHILBIN AND SPERANZA.

Discharged Convicts.

Messrs. CHISOLM, HADDEN, LE BOUTILLIER AND SAWYER.

Detentions.

Messrs. HADDEN AND WENDELL.

Finance.

Messrs. JACKSON, SMITH, TUCKER AND WARD.

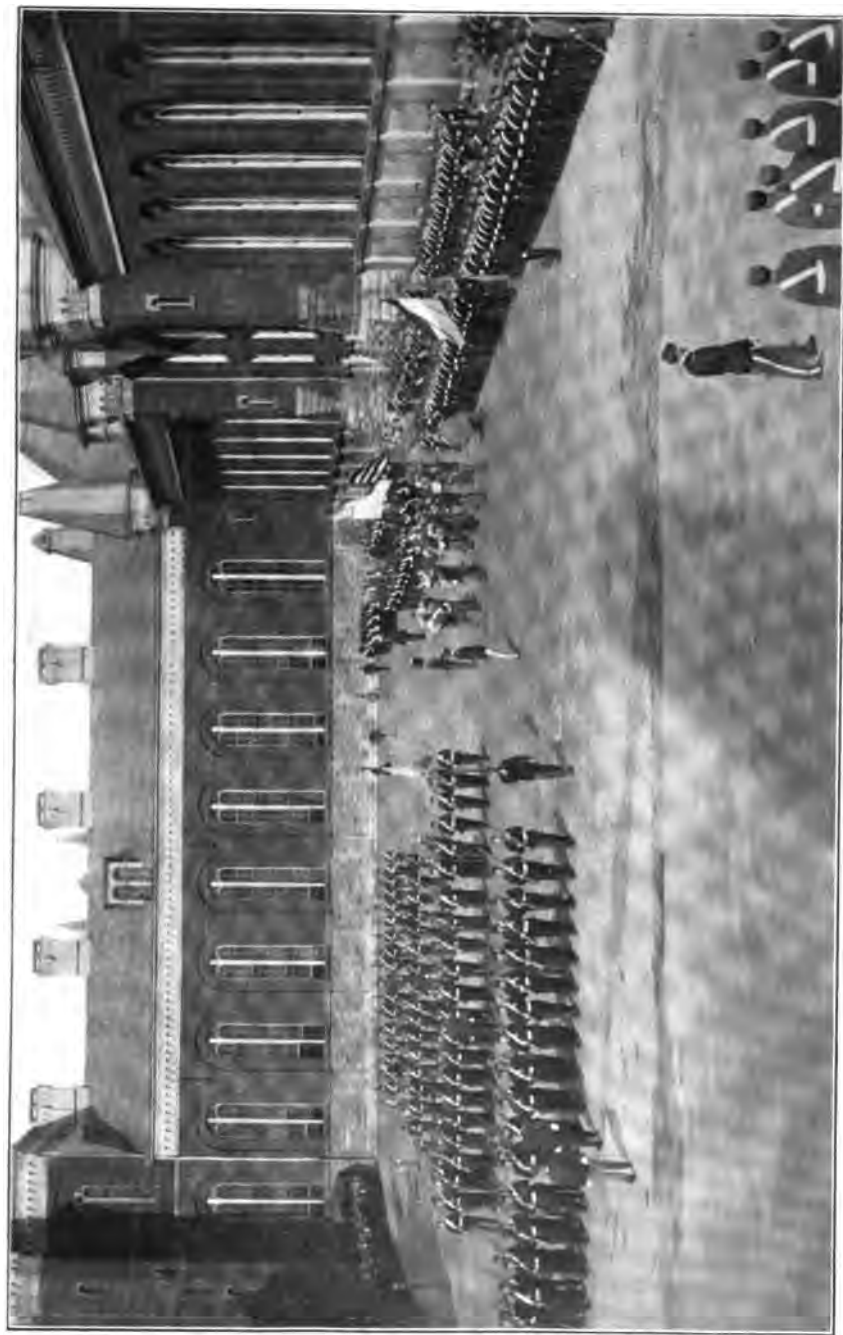
House.

Messrs. JACKSON AND WARD.

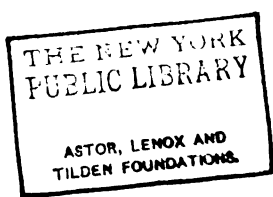
Library.

Messrs. GREGORY AND JACKSON.

* Committee members named in alphabetical order.



Elmira Reformatory — Regiment Passing in Review



The Association's Staff

Administration.

O. F. LEWIS, General Secretary.

D. E. KIMBALL, General Agent.

Miss F. S. AUCHAMPAUGH, Private Secretary.

Miss BEATRICE STECKER, Clerk.

Miss ESTHER MIDDLEL, Clerk.

Miss JULIA MALSHEIMER, Clerk.

Miss BESSIE RATNER, Clerk.

Parole Bureau.

H. B. RODGERS, Chief Parole Agent.

GRANT WILLIAMS, Parole Agent.

A. G. BENEDICT, Parole Agent.

SAMUEL ORNITZ, Parole Agent.

CHARLES BLUMENTHAL, Relief Agent and Librarian.

Miss H. H. LEVY, Stenographer.

Probation Bureau.

D. E. KIMBALL, Chief Probation Officer.

Mrs. EMILY WALKER, Probation Officer.

EDWARD BERMAN, Investigator.

Miss MINERVA ROSENTHAL, Stenographer.

Sage Foundation Study.

ARTHUR BULLARD, Director.

JAMES FORBES, Investigator.

A. F. CORBIN, Investigator.



STATE OF NEW YORK

No. 37.

IN SENATE

MARCH 17, 1911.

Sixty-sixth Annual Report

of the

Prison Association of New York.

HON. THOMAS F. CONWAY, *Lieutenant-Governor of New York:*

SIR.— In accordance with chapter 163 of the Laws of 1846, we have the honor to present the sixty-sixth annual report of the Prison Association of New York, and to request that you will lay the same before the Legislature.

Respectfully,

EUGENE SMITH,

President.

O. F. LEWIS,

General Secretary.

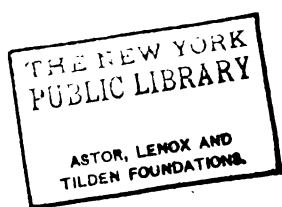
OUR DUTY.

"It has been said that state justice has but one task, to punish its enemies; that reformation, if this is possible, should be left to philanthropists, sentimentalists, dreamers. This state of mind ignores certain facts,— that the State alone has control of the forces which influence the character of the prisoner. The State alone can direct his conduct; the State is only another name for the *organ of public duty and will*; it is not moral as a machine, but it expresses the morality of the people who create and maintain its institutions and make its laws. **The State is responsible for what happens to the prisoner while he is under entire control if it turns him out crippled in body, dwarfed in thought, without skill or industry, filled with revenge.**"

C. R. HENDERSON.



Elmira Reformatory — Dress Parade



To the Honorable the Legislature of New York :

THE Prison Association of New York recognizes that you are very busy men. On the other hand, we know the vital importance to the State of the matters set forth in this report. The safety and the welfare of this State are directly affected by criminality within its borders.

This is a long report. Its length is due to the seriousness of the subjects of which it treats. To facilitate your ready consideration and study of the specially significant sections of the report from the standpoint of the legislator, we indicate below the portions of the report that should have your special attention.

You are asked to consider the need of the following institutions:

1. *A reformatory for young misdemeanants.*
2. *A farm and industrial colony for the compulsory detention, reformation and education of habitual tramps and vagrants.*
3. *One or more hospitals and farm colonies for the treatment of inebriates.*
4. *A State institution, or wards in present State institutions, for the adequate treatment of feeble-minded or backward delinquents convicted of crime and found to be unfit for existing prison or reformatory treatment.*

The Prison Association also asks your special attention to the following matters:

5. *The extension of prison industries under the State-use system and a comprehensive study of the industries now conducted in institutions of this State to which persons are committed by the criminal courts.*
6. *The systematization and extension of the parole work for men released from State prisons and reformatories.*
7. *The extension, under State supervision, of probation work in this State.*

We would ask you to read also the statement of the work done by the Prison Association during 1910.

The following pages are written in the spirit of the title of the report, and in the knowledge that "no prisoner, no matter what his age or past record, should be deemed to be incapable of improvement."

EUGENE SMITH,
President.

O. F. LEWIS,
General Secretary.

The Prison Association in 1910.

THE past year of the Association has been very successful. We feel that we have entered upon a period of important extension of our work. The annual report for 1909, published late in 1910, stated in detail many phases of our activity, which in this present summary will be covered but briefly.

On December 31, 1909, the staff of the Prison Association consisted of the general agent, three parole agents, a private secretary and two clerks, seven persons in all.

The Staff Increases. On December 31, 1910, the staff numbered sixteen persons, holding the following positions: general secretary, general agent, chief parole agent, four parole agents, two probation officers, the private secretary of the general secretary, and six clerks. Three additional members of the staff, temporarily engaged, were preparing an exhaustive study of seven hundred men either committed to Elmira reformatory or paroled from that institution at various times during the last six years.

With this important and necessary increase in the staff has occurred also a reorganization of parts of the Association's work. The parole bureau has been increased

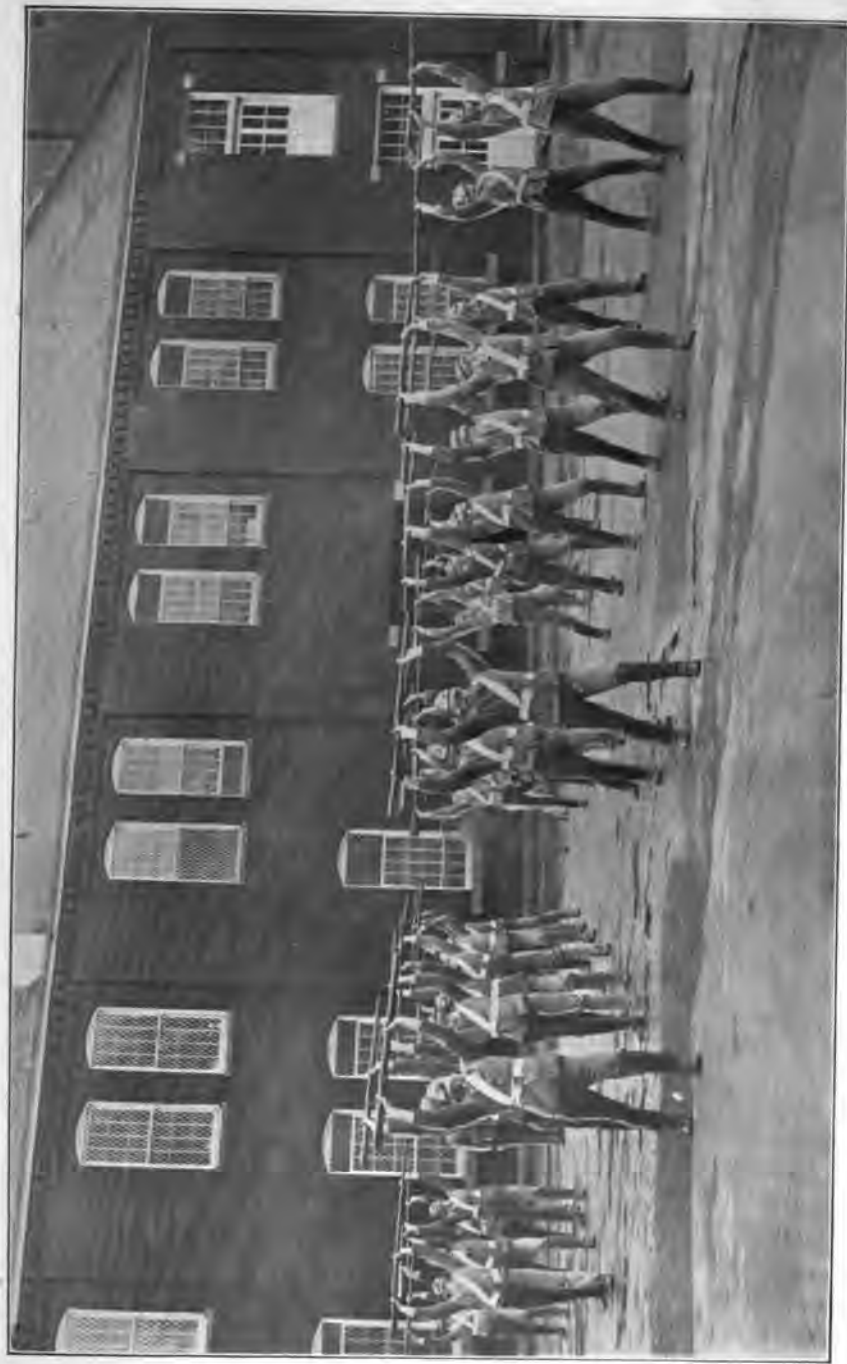
Parole Work in 1910. in members and efficiency; adequate filing and registration systems have been introduced.

A special stenographer has also been assigned to this bureau. During the year 2,053 released or discharged prisoners have applied to the Association for aid, either material or otherwise. The parole bureau is the department of the society that renders such assistance.

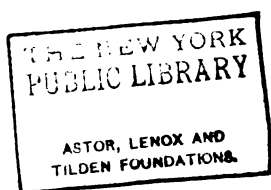
The parole officers of the Association are made responsible so far as possible for the good conduct of the paroled men, to each agent being assigned each month a certain number of the paroled men. The record of the activity of the parole bureau as outlined on the following page gives gratifying evidence of the increase in the Association's activity.

Statement of Parole Work for Year 1910.

Men in charge during year.	1,237
New parole cases during 1910:	
Reformatories	709
State prisons.	76
	785
Men released from parole during 1910:	
Reformatories	558
State prisons.	3
	561
Men in charge at end of year.	610
Men returned to prison for violation of parole.	66
Men returned to prison after absolute release	73
Delinquents on record at end of 1910.	168
Number of calls made by all persons at Prison Association, approximately.	15,000
Visits made during the year to paroled men at work or at their homes.	3,165
Employment found for.	362
Meals given.	3,478
Lodgings given	1,968
Total cash relief, including lodgings and meals.	\$2,277.79
Garments given.	344
Shoes given (pairs).	101
Number of persons relieved.	803
Different men calling from different prisons (not on parole):	
Elmira.	90
Napanoch.	9
Sing Sing	140
Auburn.	31
Clinton.	49
Blackwell's Island penitentiary.	226
Blackwell's Island workhouse.	70
Other prisons.	174
Criminal courts.	27



Elmira Reformatory — Setting-up Exercises



Comparative Statement of General Fund.

RECEIPTS	1909	1910	Per cent.
Donations.....	\$15,892 65	\$19,030 65	+ 19
New York State Reformatory.....	1,500 00	1,500 00	.....
Rents.....	451 00	236 50	-48
Sundries..	78 45	284 77	+ 264
	\$17,922 10	\$21,051 95	+ 17
EXPENDITURES:			
Salaries.....	\$7,203 10	\$12,335 57	+ 62
and Mrs. Barrows.....	750 00		
Office.....	474 03	541 54	+ 14
Stationery and printing.....	856 38	2,419 69	+ 183
Postage.....	1,063 27	1,361 61	+ 28
Relief.....	1,473 44	2,277 79	+ 54
State work and general secretary's expenses.....	187 98	337 77	+ 80
Car fares and agent's expenses....	337 19	382 25	+ 14
Office furniture and fixtures.....	53 25	25 00	-47
Library.....	283 55	{ 45 83 }	- 7
		{ 170 05 }	
Real estate expenses.....	677 02	635 92	- 9
Total.....	\$13,359 21	\$20,533 02	+ 54

Summary, Receipts and Expenditures, 1910.

[General Fund.]

Received.....	\$21,051 95
Expended.....	20,533 02
Excess of receipts over expenditures.....	\$518 93 or 2.5%

The probation work of the Association was rendered more efficient during 1910 by the installation of an adequate registration system; the engagement of an assistant probation officer, the addition to the proba-

Probation Work in 1910. tion bureau of the experienced service of Mrs. Emily S. Walker, and the inauguration of monthly reports to the judges of the court of general sessions upon the probationers placed in charge of the Association. A special stenographer was engaged for the probation bureau.

The following is the record of the work of the probation bureau in 1910:

Mr. Kimball and Mr. Berman.	
Number of cases remaining January 1, 1910..	179
Number of cases received during 1910	117
Total.....	<u>296</u>
Number of cases passed from our oversight..	176
Total remaining January 1, 1911	<u>120</u>
Number of cases referred to this office by courts for investigation.	<u>575</u>
Money received by this office (as intermediary) for <i>non-support</i>	\$260
Money received by this office (as intermediary) for <i>restitution</i>	669
Total.....	<u>\$929</u>

The statistical report of Mrs. Emily Sheldon Walker upon her work in the court of general sessions in 1910 follows:

MONTH	Number dis-charged	Number received	Number in charge Jan. 1, 1910	Number in charge Dec. 31, 1910
January.....	15	2	108	109
February.....	1	3	.....	.....
March.....	7	4	.....	.....
April.....	0	2	.....	.....
May.....	0	10	.....	.....
June.....	2	9	.....	.....
July.....	Away	Away	.....	.....
August.....	Away	Away	.....	.....
September.....	Away	Away	.....	.....
October.....	7	3	.....	.....
November.....	3	4	.....	.....
December.....	6	5	.....	.....
Total.....	<u>41</u>	<u>42</u>	<u>108</u>	<u>109</u>

The year 1910 was by far the most successful financially in the history of the Association. Late in 1909, Mr. Smith Ely, a generous friend of the Association, subscribed the sum of \$25,000 toward a permanent endowment fund in case the Association should by December 1, 1910, raise an equivalent amount for an endowment fund. Mr. Ely generously offered later to contribute the equivalent of any endowment contributions received in excess of the sum of \$25,000. This very reasonable condition was complied with before the middle of November, 1910, the total sum thus secured for the permanent endowment fund amounting to \$54,619. Contributions ranging from \$1 to \$2,500 were received, the total number of contributions being 395, and the average contribution, excluding Mr. Ely's contribution of \$27,500, being \$6.86. This very important increase in the Association's funds will draw interest from about February 1, 1911, and the income will be devoted to the general work of the Association.

The receipts for general work during 1910 increased in a gratifying manner, the total receipts from contributions for current expenses for the year being \$21,051.95, an increase of \$3,129.85 over the contributions for 1909, or 17 per cent. The number of contributors to the Association has materially increased, the comparative figures for 1909 and 1910 being as follows:

The number of our contributors in 1909 was 1,464; the number of contributors in 1910 was 1,926, not including 392 separate contributions to our endowment fund. This shows a most gratifying increase in the number of contributors of over 30%. Contributors to a society are its friends. To increase our friends by thirty per cent in one year is a matter of congratulation.

The year has brought the usual \$1,500 from the board of reformatory managers in payment of the parole work conducted by the Association for Elmira and Napanoch reformatories. The Association recognizing that with the multiplicity of appeals received by citizens of New York for charitable purposes (many appeals of the most worthy character) the securing of financial support by organizations tends to become increasingly difficult, has during 1910 continued to systematize its appeal work, and contemplates as soon as possible the estab-

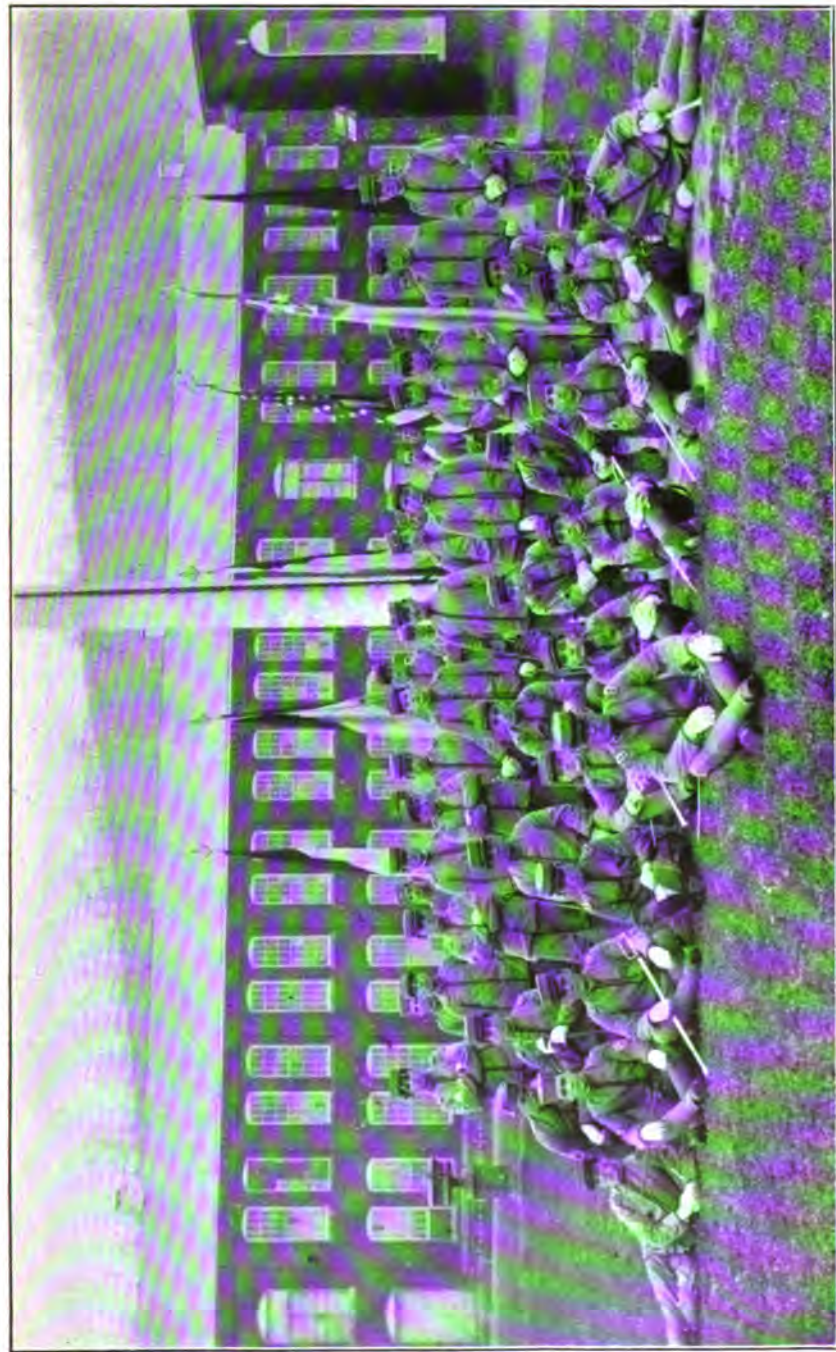
lishment of a department of the Association to be known as the bureau of appeals.

Recognizing also that legitimate publicity is of importance in gaining and holding friends, the Association has during the year frequently availed itself of the columns

The Power of the Press. of the New York daily press. We have published a number of leaflets depicting in a simple and graphic manner our various activities, illustrated when possible by photographs. During the year the Association has maintained a press service, sending specially prepared articles to about 200 newspapers in New York State; these articles had educational value and were widely printed. The general secretary of the Association, acting as the chairman of the publicity committee of the International Prison Congress, carried on during the earlier months of 1910 a national press service with gratifying results. During the year several members of the staff of the Association have been active on the lecture platform, especially in churches in New York city and vicinity.

One of the most important events of the year has been an extensive renovation of the building owned and occupied by the Association at 135 East Fifteenth street. For

Renovations. a number of years the board of managers, though greatly desiring the renovation of the building, had not felt justified in appropriating any considerable sum of money for that purpose. During the summer of 1910 the building was renovated from basement to roof, entirely new plumbing and a system of steam heat installed, the basement equipped with electric light, hard wood floors laid on the first floor, while the building was painted and papered throughout all its floors. The third and fourth floors were thoroughly renovated and made habitable for the general secretary, who began occupancy of these apartments on September 15th. Instead of continuing the use of the small room in the basement, formerly used for parole work, ample rooms on the first floor are now utilized, and the library serves not only for those who wish to consult the books and pamphlets, but also as a waiting room for released and discharged prisoners, magazines and periodicals being supplied for reading purposes and given to all ex-prisoners who desire them. The entire second floor of the building is now used in the clerical work of the Association.



Elmira Reformatory — Group of Inmate Officers

With the establishment of several bureaus has come the assumption of increased responsibility by the bureaus. Bi-weekly staff meetings have been held, at which the several bureaus have reported on their work and have undergone frank scrutiny. The interest and loyalty of the staff is a conspicuous feature of the work of the Association, and a dinner to be tendered to representatives of the board of managers by the staff in the early part of 1911 is a testimony of the interest shown by our workers.

A very comprehensive study of former and present inmates of Elmira and Napanoch reformatories has been carried on by the Association for the greater part of 1910.

The Elmira Study. The Sage Foundation financed by an appropriation of \$4,100 this study, which undoubtedly will be, when completed, in 1911,

the most comprehensive of its kind ever made in this country. Nevertheless, it has not been expected by the Sage Foundation or by the Prison Association that the study will be final in its nature or that it will perhaps do more than show the way to more comprehensive studies, and as an important result of the study show the necessity of improvement in methods of keeping statistical, medical, industrial and other records of institutional inmates. The Association contemplates the establishment of a permanent bureau of research as soon as the income of the society permits. European students of criminology have made most valuable contributions in the field of criminological research while American penologists have heretofore devoted their attention largely to administrative problems. The recent establishment of the American Institute of Criminal Law and Criminology is encouraging, and the national body has already stimulated interest among American sociologists and penologists in research problems.

The Prison Association has recently been invited by the board of managers of the New York State Reformatory for Women at Bedford to supervise a study of physical and mental characteristics of the inmates of that institution, the work to be financed by the New York foundation. The study will be conducted at Bedford under a committee consisting of the president of the board of managers of the reformatory, the superintendent of the reformatory and the general secretary of the Prison Association. The results will be published by the Reformatory and by the Prison Association and should be a

distinct contribution to American data on the psychology and pathology of women delinquents. This study, it is hoped, will be but the forerunner of similar and more exhaustive studies at other institutions for women in New York State.

In December, 1910, the Prison Association took the first step to organize a special committee on the study of the physical and mental characteristics of defective delin-

What About quents. The importance of such a study was
Defective emphasized by alienists and institutional
Delinquents? heads throughout the state in letters presented at the first meeting of the committee. Occa-

sional studies of the mental and physical phases of delinquency have been carried on in several New York correctional institutions. The Prison Association hopes to organize a committee of sufficient strength and activity, not only to standardize methods of study and research, but to give a stimulus to such studies in the various institutions of this state and elsewhere, with the ultimate purpose of obtaining legislation providing for the general and regular examination and treatment of any mental or physical defects in delinquents.

The relief work of the Association has increased considerably during 1910, but is far less adequate than it should be.

Frequently applications for aid come to the Association from the dependent families of prisoners. Indeed, the problem of the dependent family of the prisoner is a very

Relief Work. serious one. The Association during 1910 expended \$2,277 in material relief. The Association should be able to expend at least \$5,000 a year on material relief. Our relief policy should be liberal and prompt, but should be accompanied by careful investigation and constructive plans for the rehabilitation of the family or the individual concerned. We have been fortunate in receiving during 1910 many donations of magazines, books and clothing, which are acknowledged on page 103 of this report.

During 1910 several committees and other groups have organized, whose affiliation with the work of the Prison Association will be very helpful. Out of the interest

The Barrows in the welfare of individual released prisoners
League. grew during 1910 the informal "Round Table," a group of from thirty to forty men in business and professional life in New York city, who have met monthly at the rooms of the Prison Association, as a kind

of "big brother" committee for the aid of released prisoners over sixteen years of age. Late in 1910 the Round Table group organized formally as the Barrows League, the name being taken in memory of Samuel June Barrows, the late corresponding secretary of the Prison Association. A constitution and by-laws have been adopted, and the work of the Barrows League is being apportioned to sub-committees; valuable help, especially in legal questions, has been rendered the Association without compensation by many members of the group.

During the year the National Committee on Prison Labor, with headquarters in New York, has been reorganized, partly

**A National
Committee
on Prison
Labor.**

at the suggestion of the Prison Association, and has become a body which, though small in numbers, faces a very important and complicated problem in prison administration. The executive committee of the Prison Labor

Committee includes specialists in the fields of prison administration, public supervision of institutions, prisoners' aid work, and the relations of capital and labor. The object of the organization, as set forth in its act of incorporation, is to study the whole problem of prisons and correctional institutions with a view to securing legislation in the United States to the end that all prisoners may be so employed as to promote their welfare and at the same time reimburse the institutions for expense of maintenance, while preventing unfair competition between prison-made goods and the products of free labor, and securing to their dependent families a rightful proportion of the prisoners' earnings.

In September, 1910, a National Prisoners' Aid Association was organized, partly at the suggestion of the Prison Association of New York. For years the score or

**A National
Prisoners'
Aid Association.**

more of societies doing prisoners' aid work in the United States have known but little of each others' activities and have been without ready means of inter-communication or cooperation. The National Prisoners'

Aid Association has now been organized to further the development and extension throughout the country of the work for released prisoners, including prison visitation, inspection of correctional institutions, assistance to prisoners, probation, parole, research, legislation and public education on the prob-

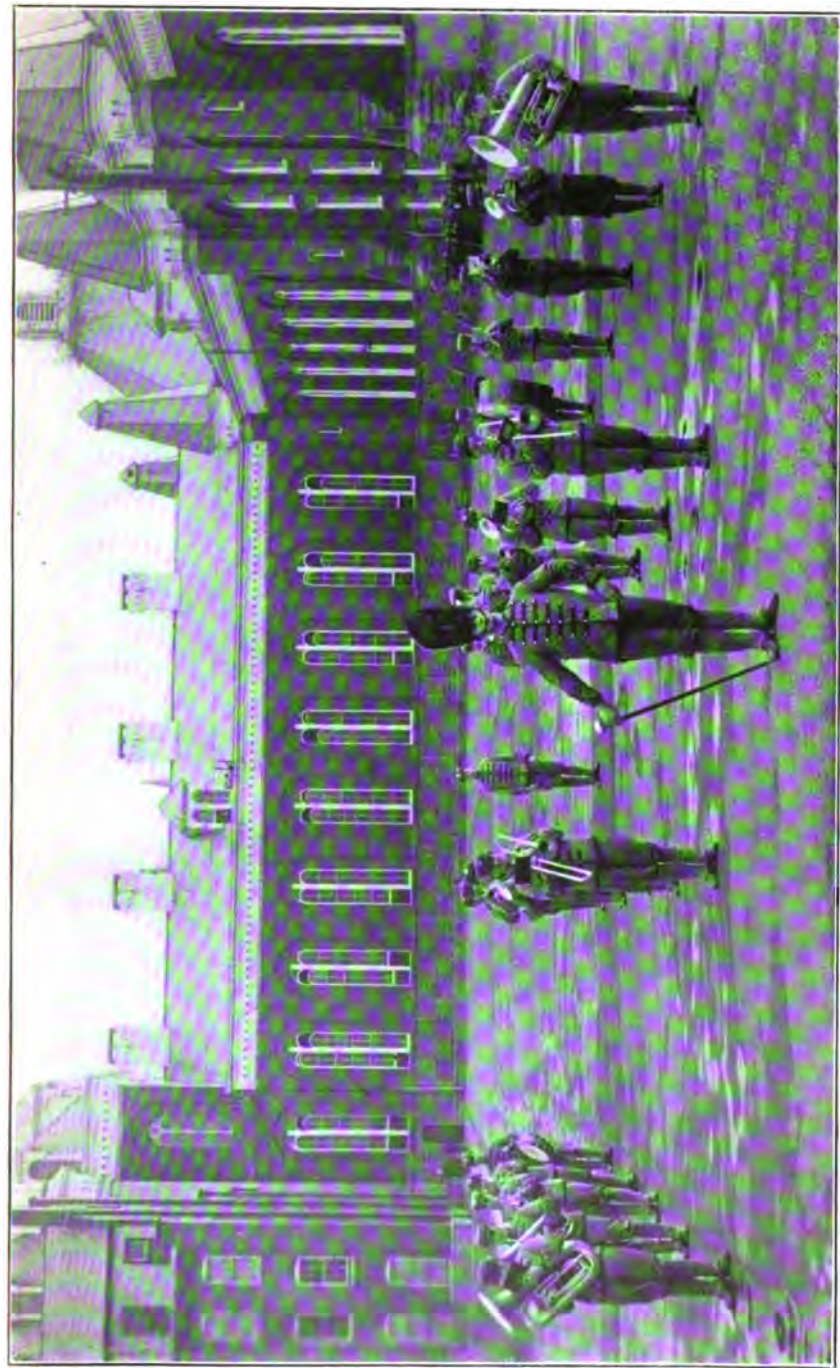
lems of penology and criminology. The Prison Association is represented in the list of officers. In January, 1911, the first number of the *Review*, the organ of the National Prisoners' Aid Association, will be published, the general secretary of the Prison Association of New York being the editor. It is hoped that this monthly periodical will be a useful "trade journal" in the field of prisoners' aid work and prison administration.

Prison Day was observed in approximately 150 churches and synagogues of New York State on October 29th and 30th.

The stimulus to this observance came from the Prison Association, which in September circularized 1,500 churches and synagogues and furnished, to such as desired the same, material containing adequate information in printed form for use in sermons and addresses. The Association acknowledges a generous contribution of \$182.80 from Grace church, the amount of the collection on Prison Sunday. The Association will repeat its Prison Day campaign again in 1911 on a larger scale. Thanks are due to the newspapers of the state for their published accounts of Prison Day.

The legislative session of 1910 was comparatively barren in respect to laws relating to prisons and prisoners. The Prison Association, in cooperation with many other agencies both public and private for the betterment of social conditions in New York State, introduced bills providing for an industrial farm colony for the detention, humane discipline, instruction and reformation of tramps and vagrants. Also a bill providing for the establishment of a State reformatory for misdemeanants between the ages of 16 and 21. The Association took a favorable position upon the so-called Reed bills, which provided for the extension of the State Use system in penitentiaries and jails, and for the payment of wages to prisoners. The Association also favored a bill providing for the establishment of a board of inebriety in New York city, with power to establish a comprehensive system for treating inebriates, including the establishment of a hospital and farm colony for such purposes. The only bill becoming a law was the last, the permissive character of which has not been as yet taken advantage of by New York city.

Legislation. matory for misdemeanants between the ages of 16 and 21. The Association took a favorable position upon the so-called Reed bills, which provided for the extension of the State Use system in penitentiaries and jails, and for the payment of wages to prisoners. The Association also favored a bill providing for the establishment of a board of inebriety in New York city, with power to establish a comprehensive system for treating inebriates, including the establishment of a hospital and farm colony for such purposes. The only bill becoming a law was the last, the permissive character of which has not been as yet taken advantage of by New York city.



Elmira Reformatory — The Inmate Band

The so-called Page bill, providing for a radical reorganization of the courts of inferior jurisdiction in New York city, became a law, and has resulted in many

The Page Bill. excellent changes in the procedure of our lower courts. A chief justice has been appointed for the court of special sessions and a chief magistrate for each board of city magistrates. On September 1st, policemen ceased to be probation officers in the magistrates' courts and in the court of special sessions. Several months of unfortunate delay have elapsed, without the close of 1910 seeing the appointment of probation officers chosen under civil service. However, it is a distinct cause for gratification that through the persistent efforts of the State Probation Commission, supported by the State Charities Aid Association, the Society of St. Vincent de Paul, the Prison Association and other organizations, the positions of probation officer in the magistrates' courts and in the court of special sessions have been declared non-exempt positions. A written examination for the position of probation officer has been given by the municipal civil service commission, and the papers, nearly 1,000 in number, have been examined on the invitation of the municipal civil service commission by experienced social workers, an action of the commission deserving much approval.

The same law has caused the establishment of a domestic relations court, an institution seemingly much needed in this city and having jurisdiction over cases of non-support. An extensive system of records and finger-print identification has been provided and installed. A separate night court for women has been established; there is divided opinion as to the necessity of two night courts. In 1907, the first night court was established largely for the purpose of preventing professional bondsmen from preying upon women arrested on the charge of disorderly conduct, and for the further purpose of making it unnecessary for persons arrested on charges of misdemeanor or of the violation of city ordinances to remain over night in the station houses. With the establishment of two night courts, many comments have been made upon the apparent lack of necessity of trying the cases of male offenders before the following morning. The law provides also for the establishment of a detention home for women and for the segregation of different classes of offenders, the establishment of children's courts in the boroughs of Queens and Richmond and the introduction of official probation officers in children's courts

The provision of the law requiring a physical examination of women convicted of disorderly conduct and before sentence has been passed upon them in the magistrate's court, has given rise to much valuable discussion as to the efficiency of such provision. Opponents of this section (Clause 79) of the bill have maintained that the law provides for discrimination against women convicted of one specific offence; that the law relates to women only and not to men who are *in pari delicto*; that the physical examination cannot be sufficiently thorough to determine the presence or absence of venereal disease; that the method of conducting the examination is unfortunate and attended with a certain amount of indignity and publicity; that the physical examination of women convicted of disorderly conduct and the introduction of the finger-print system in this case are the opening wedge for the regulation of prostitution in the city of New York; that the provision of the law whereby women found to be suffering from venereal diseases are committed to a hospital has proved inefficacious, because of the absence of adequate hospital facilities in the workhouse; that the term of commitment has been surrounded by unsatisfactory qualifications; and that in general the provision is of no avail as a cure for venereal diseases or as a check upon prostitution, since it reaches but a comparatively small number of cases. Such a physical examination, in the opinion of the opponents of the clause, results in the tacit legalization of prostitution in the cases of those who are upon medical physical examination found apparently not to be suffering from venereal diseases.

On the other hand, those who have defended the provisions of Clause 79 have contended that the law is in no sense an opening wedge for the regulation of prostitution; that conditions producing venereal diseases in this city could hardly be worse than they are; that it is far better to attempt the cure of even a small proportion of those unfortunate women who follow this life, than to do nothing toward their cure; that the efforts at cure are made only in the cases of those who have been convicted of disorderly conduct; that such efforts at cure are undertaken in correctional institutions and that the hospital treatment is in addition to the sentence and not in lieu of sentence to a penal institution; that the finger-print system must start somewhere and that it is evident from the records at the

workhouse and in our courts that in the absence of an adequate system of identification the records are quite inadequate as a basis for decision of the magistrate in the frequent cases of recidivism; that the present methods of discharge or fine or commitment to the workhouse of women convicted of disorderly conduct are futile and that none recognize this fact more than do the magistrates; that it is not a discrimination against one sex or a certain class of offenders, except in so far as these offenders are afflicted with a contagious disease; that the law relating to physical examination for venereal diseases applies to women arrested for disorderly conduct only because the male sex is very seldom arraigned charged specifically with this misdemeanor.

At the height of the discussion, and while the law was being carried out at the night court for women, a decision of Judge Bischoff declared section 79 of the Page bill unconstitutional. Pending further decision as to the legal status of this section of the Page bill, the physical examination above described was discontinued. It is expected that the Legislature of 1911 will be called upon to pass upon proposed amendments to the bill.

For approximately one month, beginning with the 18th of September, the Eighth International Prison Congress was in progress in this country. The formal opening of the Congress was on October 3d, at Washington, D. C., where representatives from two-score nations of the world met to

The International Prison Congress.

deliberate and to act upon the results of their conferences. Prior to the meeting at Washington the United States government had provided for about seventy-five foreign delegates a special train for a ten-day tour of inspection of important correctional institutions in the eastern and central part of the United States. Starting from Jersey City on the evening of September 18th, the delegation visited in succession Elmira Reformatory, the George Junior Republic, Auburn (N. Y.) State Prison, the Industrial and Agricultural School at Industry, (N. Y.), Buffalo, Niagara Falls, the Ohio State Reformatory at Mansfield; Chicago, from which point excursions were made not only to institutions within the city limits, but also to the St. Charles School for Boys, the Geneva State School for Girls, and the Indiana State Prison (at Michigan city), Indiana State Reformatory at Jeffersonville, and Louisville. From Louisville the train continued on its way to Washington, D. C.,

the party arriving on the evening of September 28th. The management of this tour by Frederick H. Mills of the New York State Prison Department was admirable.

From September 29th to October 3d the American Prison Association held its annual meeting at Washington. The meeting of the American body marked the highest point yet attained by the Association. That the joint meetings of the American body and of the international body were of incalculable value to both organizations there is no doubt. Elsewhere in this report* our members will find a detailed report and discussion of many of the resolutions adopted by the eighth international prison congress. It was a matter of special gratification to the representatives of the Prison Association of New York that throughout the railroad trip and the sessions of the international prison congress the name of the former corresponding secretary of this Association, Dr. Samuel June Barrows, was remembered with affection and sympathy. Dr. Barrows would have presided at the eighth international prison congress had he lived.

Looking forward to the proposed activities of the Prison Association for 1911, three special lines of work are contemplated, in addition to the continuation and strengthening of our present activities.

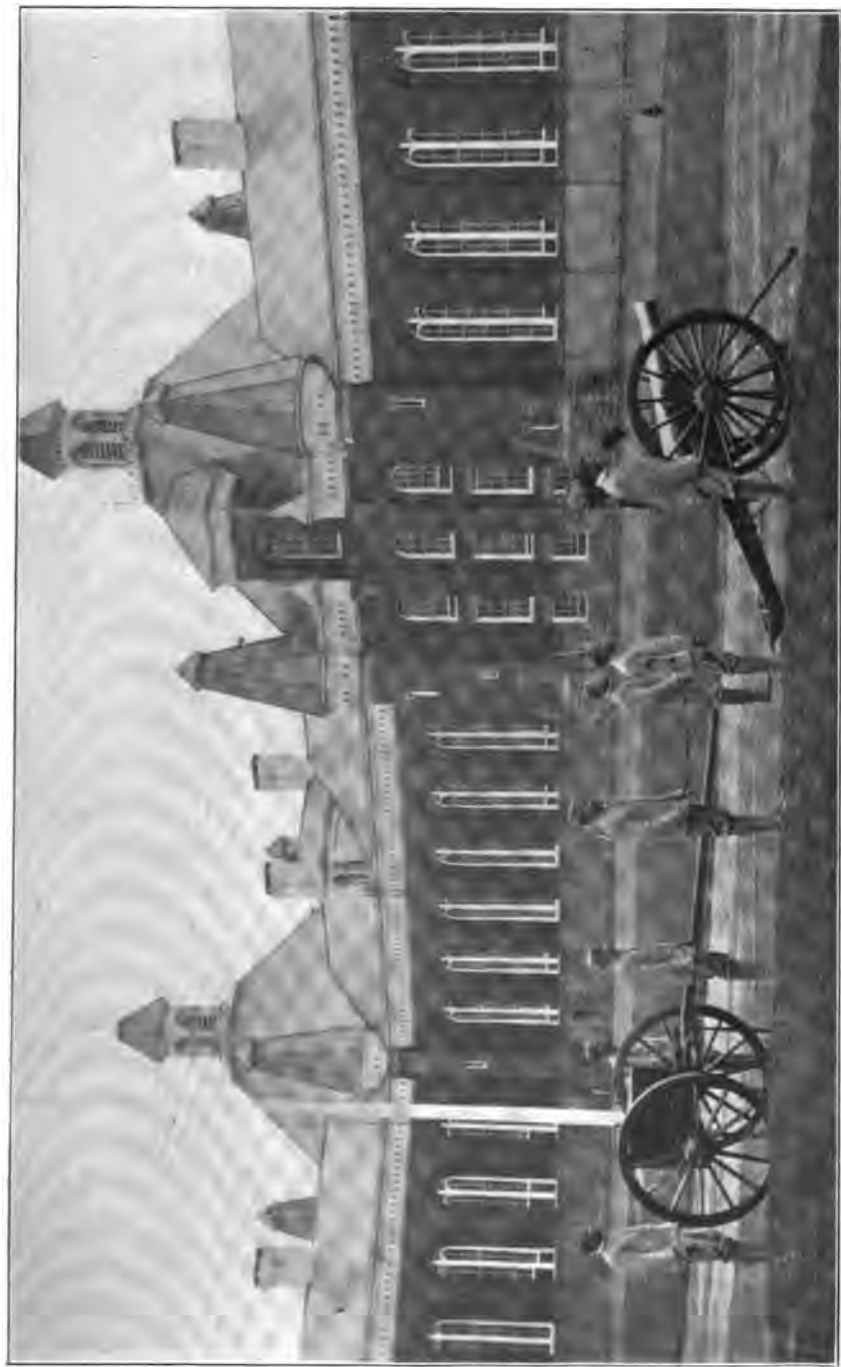
**Looking
Forward to
1911.**

First, *a careful study of the correctional institutions of New York city, followed by the presentation to the proper authorities of extensive plans for their betterment.*

Second, *the systematic visitation and inspection of the correctional institutions of the State, so far as the finances of the Association will allow.* This has been a part of our work necessarily subordinated during 1910, while the reorganization of our parole and probation work and of the administration of the society occupied our major attention. The county committees, which in later years have lapsed or have disbanded entirely, will be reorganized and so far as possible local interest will be developed throughout the State for the institutions within the various counties.

Third, *the development of research and educational work within New York State.* This report has already indicated the lines on which the extension of this work will be carried on.

* See pages 33 to 74.



Elmira Reformatory — Firing Squad

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During the year, the representatives of the Association have diligently visited the district prisons, the Tombs, the penitentiary, and the workhouse. We aim to keep closely in touch with those needing assistance or counsel in these institutions, yet no one realizes so well as do we how inadequate as yet is the attention which we can give to individual cases of need within these institutions. It is hoped by the Association that we may soon have one or more "prison visitors" to devote their entire time to visiting inmates of the correctional institutions of the city. During 1910, the mayor's office has frequently referred to this Association complaints reaching Mayor Gaynor of alleged injustice done to individual prisoners, or requests that prisoners might be released or discharged in view of mitigating circumstances. These instances, when referred to the Prison Association, have been promptly investigated and definite action has been taken or recommended to the mayor's office. This form of cooperation between the office of the executive head of the city and the Prison Association is gratifying, and its extension is desired by the Association.

Our relations with the State prisons and the reformatories have been both pleasant and profitable. Representatives of the Prison Association have several times

Institutions. visited Elmira reformatory during the year and have as usual found the administration of that institution in general admirable. The Association has acted, as in years past, as parole agent for both Elmira and Napanoch reformatories. Since April, 1910, a representative of the Prison Association has been present each month at the meetings of the parole board at Sing Sing prison. During 1910, seventy-six men from the State prisons have been placed on parole to the Prison Association. The development of this relationship has been one of the most gratifying phases of the Association's work for 1910. Notwithstanding the fact that the State prison men paroled to us are men without positions at time of parole and are in some ways the least fitted to pass readily back into industrial life, these men are generally quickly placed, they tend to hold their positions and lead decent lives, and last, but not least, they manifest a grateful spirit toward the efforts of the Association in their behalf. Since April, 1910, we have been obliged to return to the State prisons for violation of parole but four men, a record that compares very favorably with our experience with the younger offenders on parole to us from the two State reformatories.

In connection with the parole work for Elmira and Napanoch reformatories, a change of serious import will occur during 1911. By action of the salary classification committee of the State, two positions were created late in September, 1910, that of chief of Parole Work for Elmira and Napanoch Reformatories. reformatories and that of assistant parole officer for those institutions. The purpose of this action was to enable the board of reformatory managers to conduct the Elmira and Napanoch parole work more directly through the officers of the respective institutions. For many years the Prison Association has acted as parole agent in New York city for the reformatories. During the last year our parole work has been strengthened not only through an increased number of parole officers, but also through greater systematization of the work. In our opinion it would be of greater advantage to the State if for several years still the parole work, at least for New York city, might be carried on by the Prison Association; and it was felt that the action of the salary classification committee was premature, from the standpoint of what is of best interest to the State.

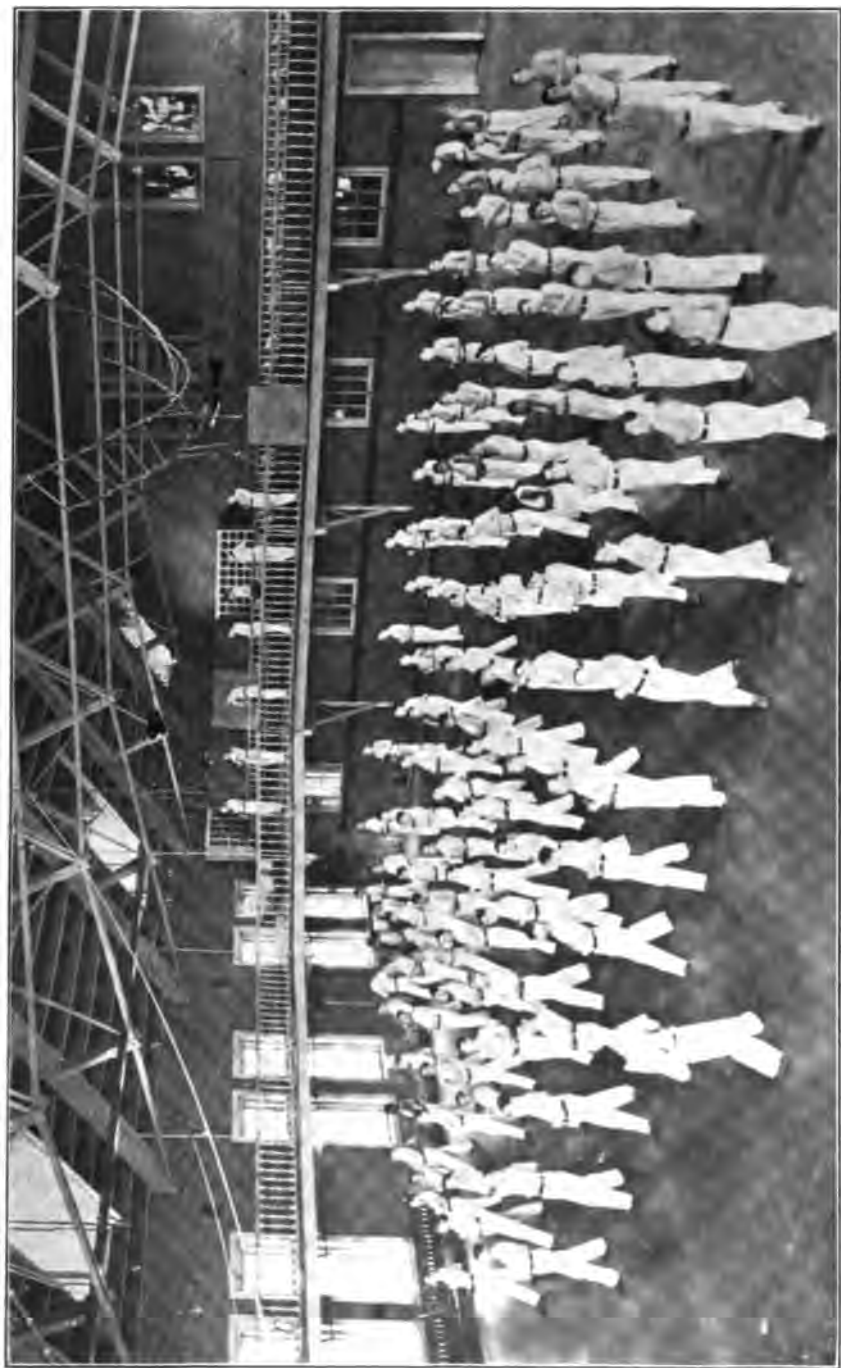
We recognize that ultimately all parole work should be a State function and either through a general parole board for the prisons and the reformatories, or through separate parole boards, such supervision should be administered. We seriously doubt, however, whether the change made necessary by the salary classification committee will be of greater benefit to the State and to the individual men on parole than the continuation and development of the systematic work at present being done by the Prison Association. That the parole period is a crucial time for released prisoners there is no doubt, and this fact is becoming recognized as never before. The law now provides for the taking over of the parole work by the board of managers of the reformatories. The position of the Prison Association, when this definitely occurs, will be of closest cooperation with the reformatory managers in case they so desire and one of close watch of the administration and of the results of the new system.

Looking back over the years during which this Association has stood as guardian of released prisoners from Elmira and later from Napanoch reformatories, we feel that the society's record, not only of activity but of results, has been an honor-

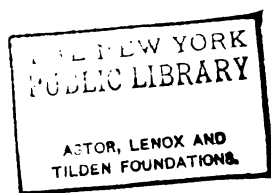
able one, unique in many respects among the American states, and that the Association has been indispensable in this branch of its work for the reduction of crime and for the rehabilitation of the offender.

The Association looks forward to no diminution of its work with the relinquishing of its parole work for the reformatories. Scores of inmates in the correctional institutions of this city almost literally cry for help. The friendlessness and helplessness of men, young and old, before trial, during trial and after conviction, are borne in upon us more and more. We have constantly been obliged to forego the chance to be of vital help to prisoners behind the bars, because of our small staff. By the relinquishing of the parole work our parole staff will become prison visitors, while it is not to be doubted that a large number of released and discharged prisoners will, in the future as in the past, need our services.

WE now proceed to discuss many of the important resolutions adopted at the Eighth International Prison Congress, relating these resolutions specially to conditions now prevailing in the State of New York.



Elmira Reformatory — Class in Physical Culture



Is Reformation Practicable?

I.

"No prisoner, no matter what his age or past record, should be assumed to be incapable of improvement."

The above resolution seems self-evident, but many institutions are administered as if reformation were a practical impossibility. In this country there are two sharply differentiated classes of penal institutions. Reformatories for adults and juveniles, and some of our State prisons, are managed with the aim of reformation and rehabilitation!

Lesser correctional institutions like jails, workhouses, houses of correction and penitentiaries are often administered as if the idea of reformation seems too often unable to work itself out. Far too often the prison visitor hears in such institutions the callous or weary statement of the warden or the keeper: "We have only bums and drunks in a place like this." Yet "places like this" are institutions through which thousands pass who later, by reason of the commission of more serious crimes, arrive in prisons where efforts at reformation are uppermost in mind. What a paradox in our treatment of our offenders that we make offenders pass through our worst schools first; debasing, filthy training schools of vice and hopelessness!

The Secretary of the Howard Association of London stated at the time of the last International Prison Congress: "The great conviction which thrust itself upon the minds of every one of the foreign delegates with whom I have spoken, was the extraordinary quality of your American reformatories and the extraordinary defects of your town and county jails. Every jail I saw ought to be wiped off the face of the earth."

This Association would not be so iconoclastic. We believe that the county jails and the county penitentiaries of this State can be made places of reformation, yet we are just as firmly of the opinion that so long as jails and penitentiaries

in this State are under county management, the day of systematic industry and reformatory influences in the jails and penitentiaries will be absent. We urge, therefore, as the first step toward the adoption of the general principle that every man in prison is capable of reformation, the extension of the control of the State to cover the present county penitentiaries and in time also the county jails.

II.

"The Congress is convinced that it is in the public interest not merely to impose a sentence, which shall be representative and deterrent, but also to make an earnest effort for the reformation of the criminal."

This is axiomatic, yet little understood. Chain gangs on southern roads, prison slaves on turpentine plantations, negro workers on Texas prison farms, idle prisoners in New York penitentiaries, wretched vagrants in town and county jails of the central states know little of any efforts made to adjust their work so that it shall be reformatory and to adjust their prison conditions so that prisoners will be better when they leave prison than when they enter.

III.

"This reformation is most likely to be accomplished by religious instruction, mental quickening, physical development and such employment as will place the prisoner on a good industrial basis."

In short, reformation should be brought about through physical, industrial, educational and moral betterment. In how many jails of the State of New York are Sunday services held? In how many jails of this State do clergymen act as spiritual guides to wretched prisoners? In how many jails of this State is there adequate physical exercise of prisoners? In how many jails of this State do prisoners learn to read and write, or even have reading matter which they might enjoy? In how many jails of this State are inmates learning any useful occupation? On the other hand, in how many jails of this State are prisoners maintained in comparative idleness?

This Association hopes within a year to furnish an answer to these and to many other questions concerning the population of the county jails.

IV.

"The reformatory system is incompatible with short sentences, and a relatively long period of reformatory treatment is more likely to be beneficial than repeated short terms of imprisonment under severer conditions."

This principle is fully discussed on pages 40-41. Modern penology advocates sentences long enough to provide the opportunity for the prisoner to learn an occupation and to be restored to health.

V.

"Reformatory treatment should be continued with a system of liberation on parole under suitable guardianship and supervision on the advice of a suitable board."

The above resolution is fundamental. Prison life should not end with the exit of the prisoner from prison walls. Ultimately the indeterminate sentence, providing for the release of a man before the end of his maximum sentence, will prevail far more largely than at present. The indeterminate sentence and a parole period in provisional liberty are two essential principles in the reformatory treatment of criminals. An indeterminate sentence with no parole period is but half effective.

In this State the principle of an adequate parole system is accepted by those foremost in prison administration. The State Prison Department and the board of reformatory managers of Elmira and Napanoch are both committed to parole supervision and to its extension.

At present, parole work is hardly more centralized than is the administration of our various correctional institutions. For the three State prisons, there is a State parole board, meeting once a month at each prison. The parole board is made up of the State Superintendent of Prisons and two other members, the two latter members receiving each a salary of \$3,600 per year. The parole board for Elmira and Napanoch reformatories is the board of reformatory managers. Entirely distinct parole supervision is exercised by the board of managers of other correctional institutions, such as the New York State Reformatory for Women, the Western House of Refuge, the

House of Refuge at Randall's Island, and the State Industrial and Agricultural School at Rush.

Although parole supervision has continued now for many years in connection with Elmira and Napanoch reformatories, and for a decade in the case of certain prisoners of our State prisons, we are still in this State far from an adequate parole system. The inadequacy is along two lines:

First, the board of managers of Elmira and Napanoch reformatories and the State parole board are still far from sufficiently informed as to the men who appear before them when eligible for parole. A parole board doing its full duty by men eligible for parole should have adequate personal information, acquired so far as possible by

**The Duties
of Parole
Boards.**

personal contact with prisoners. It is convenient and time-saving for a board of managers or for a State parole board to receive the reports of prison officials in lieu of personal information regarding prisoners. When, as in the case of Elmira and Napanoch reformatories, such information comes from eminently qualified superintendents, it is not probable that the board of managers will make many mistakes, yet the theory of a proper parole board is foreign to the administration of a parole board along the above lines.

In the case of the State parole board, one member has in the past sought to digest each month prior to the meetings of the Board the reports by prison officials upon the men who seek parole. The Prison Association cannot too strongly emphasize the inadequacy of such methods, particularly when the salaries of two of the three members of the board of parole are \$300 per month.

The proper supervision of men released on parole is of the highest importance to the State. The economic value of a prisoner who does not revert to crime is not alone in his productivity, but still more in his removal from the class which is predatory and which does immense pecuniary damage to citizens of the State. It has hardly yet dawned upon legislators or upon citizens in private life that the most crucial period of a prisoner's life is that following imprisonment, rather than imprisonment itself. Hence, the State, through its representatives, should guard the released prisoner, supervise his employment and his private life, care for and counsel him, and, if necessary, be a stern and severe disciplinarian.



Elmira Reformatory — Shoemaker Class

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Nor should this period of parole be short. The Prison Association is confident that the parole period of Elmira and Napanoch reformatories, being only six

The Period of Parole. months in the case of a man who conducts himself properly, is too short. Repeatedly it is said by prison officials that it is often the

prisoner who conducts himself most properly in prison, who is at heart the worst criminal, because he realizes the usefulness of good behavior as a means to speedy egress from prison. Similarly a man with criminal instinct in his heart may conduct himself well during a relatively brief period of parole only to return to his criminal vocation as soon as his parole period is over. We unhesitatingly urge in the case of Elmira and Napanoch reformatories, the extension of the parole period for adults to at least one year. We recommend that at the end of the year of parole, there be a decision by the board of reformatory managers as to whether the paroled man should be continued on parole or whether he may receive his absolute release, and that the mere fact of having made satisfactory reports be not held as conclusive evidence that he should receive then his absolute release.

We further urge that any man becoming delinquent while on parole through neglect to report, through leaving his employment without permission or through leaving the city, or from other reasons, be vigorously followed up. So far as possible, the same course of treatment should be adopted in his case as if he had escaped from prison, in case no extenuating circumstances appear on adequate investigation. In short, the sanctity of the parole period should be guarded. Far too many of the men who are released on parole from reformatories and prisons consider themselves at full liberty.

A well-organized system of parole supervision is not only indispensable from the standpoint of reformation, but is of incalculable benefit to society. This Association stands absolutely for the development of an adequate parole staff, in the cases of both the State reformatories and the State prisons. To spend State money within reformatory or State prison for the reformation and rehabilitation of the prisoner and then to release him on parole without adequate supervision, is folly. The State is negligent if it does not provide a thoroughly adequate parole system. We speak with the experience of years, and as a society which more than any other organization in the United States has conducted parole supervision.

Ultimately there should, in our opinion, be one parole board for State prisons and State reformatories, and one well-equipped parole staff for the effective supervision of all men released on parole from these institutions.

VI.

"It is strongly to be desired that a system of special treatment be adopted for adolescent criminals whether recidivists or not."

With this principle the State of New York is in general agreement. We are justly proud of many of our juvenile reformatories.

In the western part of the State is an institution, the Industrial and Agricultural School at Industry, that was generally conceded by members of the International Prison Congress to register high-water mark in the treatment of juvenile delinquents. We are justly proud of the general adoption in New York State of the principle of reformatory treatment for juvenile delinquents.

¶ Yet several institutions now lacking are indispensable to a relatively complete system of correctional care of adults and more youthful offenders. One of these necessary institutions is a State reformatory for misdemeanants between the ages of sixteen and twenty-one. We repeat our statement of our last annual report, that a reformatory for young misdemeanants is vitally necessary for several reasons:

(a) *To imprison boys among hardened offenders in jails and penitentiaries is, from an economic standpoint, very costly and extravagant.* Why should the State develop criminals in one set of institutions, whom it must later at large expense confine in another set of institutions, during a comparatively long term, for serious crimes often committed at society's expense.

(b) *To imprison boys among hardened offenders without industrial or educational facilities is to lose an important chance to make a workman out of an idler.*

(c) *To imprison a boy among older and hardened criminals is to commit a grievous sin against a boy.*

Strong testimony as to the need of a State reformatory for misdemeanants has been given in two successive years by the New York State conference of magistrates, who have each year

advocated the establishment of such a reformatory. These magistrates represent a majority of the cities of the State.

In 1905, a New York city reformatory for misdemeanants was established on paper. We are now six years older, yet the merest semblance of a reformatory system is all that has yet developed on Hart's Island. It is encouraging to record now that the present commissioner of correction has with much care caused comprehensive plans for a modern reformatory to be drawn, and has shown a commendable inclination to gather from specialists in the prison field all useful suggestions tending to make the institution architecturally of a high grade. If the administration can be made equally good later on, New York city will have gained an excellent institution.

VII.

"Tribunals should be able to sentence to special treatment (a) which should be sufficiently long to permit of the full application of all possible means of reformation: (b) to admit the right of conditional liberation as mentioned above."

This is a resolution which urges such changes in the penal law of states and nations, not now having the same, as shall enable a court in the first place to avoid giving short sentences, and in the second place so to sentence a convicted offender that the offender may later be eligible for conditional liberation or parole.

Such advantages are now by the penal law of this State provided in the case of sentences for felony, when the offenders are sentenced to the State reformatories or the State prisons. Conditional liberation with commutation for good time is possible in our State prisons in the case of recidivists, and it is also possible in the case of sentences to one year in our county penitentiaries. Straight sentences without good-time commutation are given when the sentence is for less than one year and is for a misdemeanor. In the case of women committed to the New York State Reformatory for Women from New York city, the sentence is an indeterminate one with a maximum of three years. In the case of commitment to juvenile institutions, such as the New York Juvenile Asylum, the New York Catholic Protectory or the House of Refuge, the sentence is indeterminate, but the committed delinquent may be held by the board of managers until his majority.

The Indeterminate Sentence.

The following resolutions adopted by the International Prison Congress were perhaps the most important resolutions passed. At many successive international prison congresses, the representatives of the United States have advocated the indeterminate sentence, that is, a sentence with at least a maximum and minimum period of imprisonment. This form of indeterminate sentence prevails in our State prisons. Another form of indeterminate sentence is that of Elmira and Napanoch reformatories, which provides no minimum, but provides that the maximum period of detention of any inmate shall be not more than the maximum period to which said inmate might have been sentenced had he received a definite sentence for the crime which he committed. In no State of the Union does an absolutely indeterminate sentence exist. In juvenile reformatories, sentence is frequently indeterminate with a maximum expiring at majority. The adoption of the following resolution was felt to be a victory for American penological principles and was a result due in part to a far better acquaintance with American institutions on the part of the delegates to this Congress, who for the two weeks prior to the sessions of the Congress had visited many American institutions in various cities as the guests of the United States.

I.

"The Congress approves the scientific principle of the indeterminate sentence."

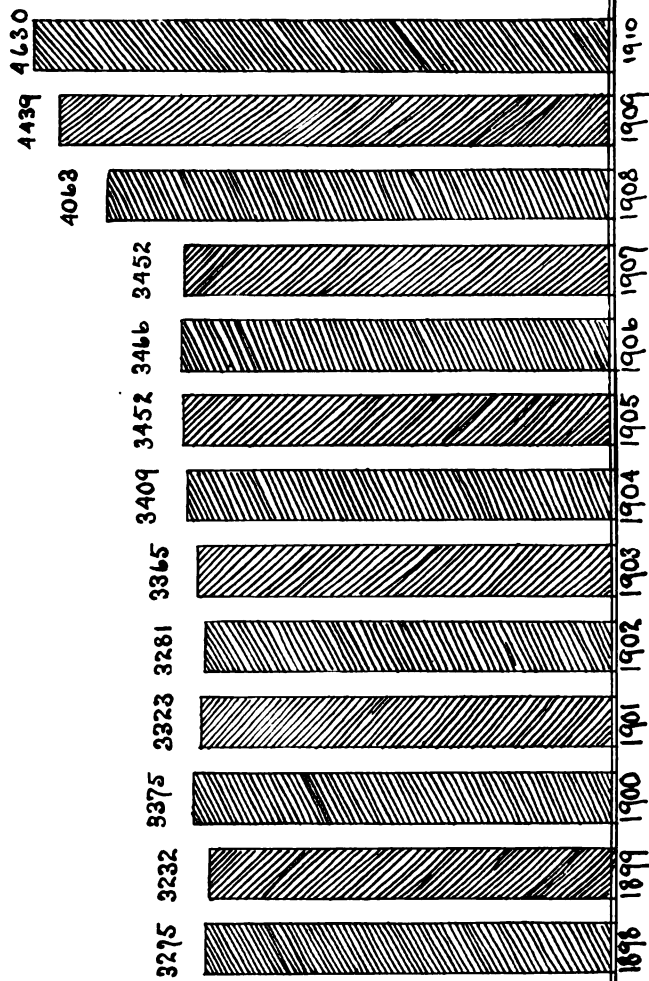
This resolution passed on the ground that the Congress should either have nothing to do with the principle of the indeterminate sentence in any form, or it should accept the indeterminate sentence for certain classes of offenders and with certain modifications. The difficulty faced by many of the foreign delegates was expressed by one who said: "In the minds of people everywhere the idea of imprisonment as a penalty, as a retaliatory movement on the part of the community against

TOTAL PRISON POPULATION OF NEW YORK STATE

SING SING, AUBURN, CLINTON PRISONS — SEPT. 30TH OF EACH YEAR

POPULATION

5000
4800
4600
4400
4200
4000
3800
3600
3400
3200
3000
2800
2600
2400
2200
2000
1800
1600
1400
1200
1000
800
600
400
200



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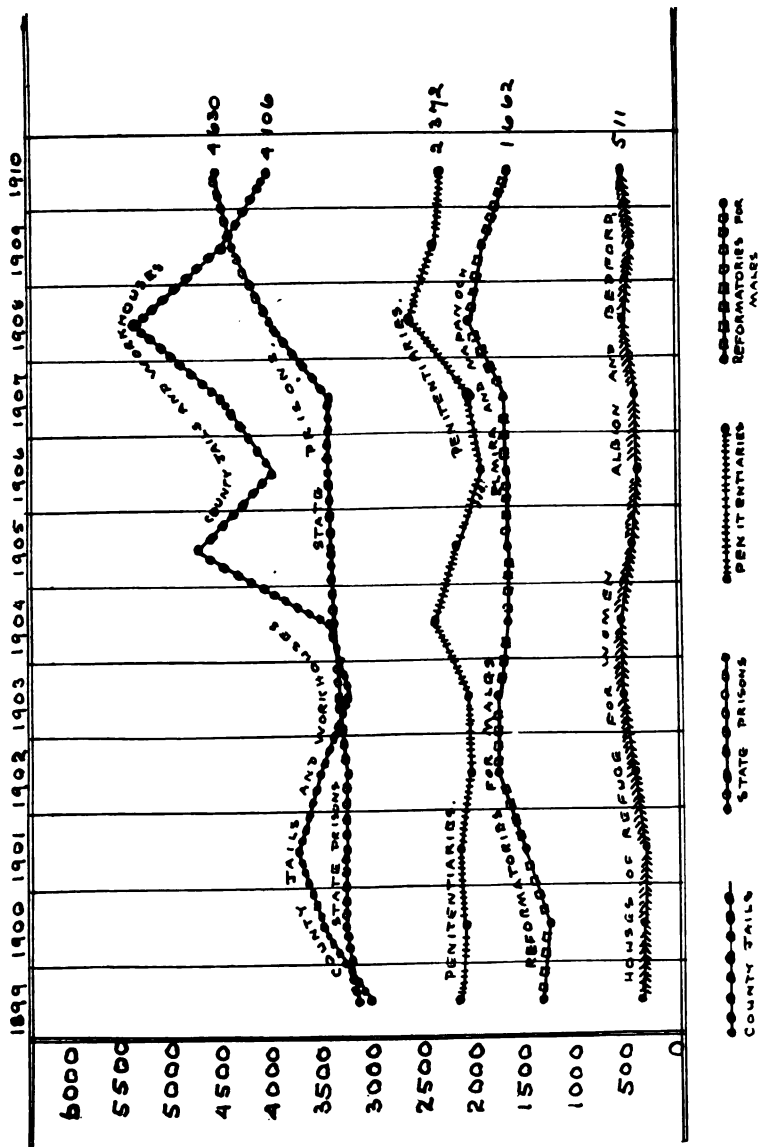


Table showing prison population of New York State on October 1st of each year, 1899 to 1910 inclusive

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which the criminal has offended, is too natural and too deep-seated to be lightly brushed aside. There are, moreover, a number of offenders who are not really bad who commit some minor offense as the result of exceptional circumstances which may never recur. For such offenders, it would be absurd to apply a system of reformation; they have violated a rule of social conduct and should be made to pay a definitely prescribed penalty."

Other delegates from Latin countries pointed out that the principle of the indeterminate sentence in their opinion is inapplicable save in Anglo-Saxon countries.

Earning One's Way out of Prison. "It must not be forgotten," said one of the delegates, "that in Latin countries, it has taken centuries to establish the principle of

determination and to substitute for the whim of the executive a clearly defined, distinct penalty for the offence against the law. Indefiniteness as to the gravity of the crime, as to the rights of the accused and as to the term and variety of punishment are characteristic features of a tyrannical and unhappy epoch. To reintroduce indefiniteness would be running counter to popular notions of penal justice which are now a part of the public conscience in the Latin countries."

It is well worth while that American friends of the indeterminate sentence should know that one of the principal grounds for objection to the indeterminate sentence has been the desire to protect the prisoner from the arbitrary action of the judge. But in general, foreign delegates to the Congress found in this country that the criminal is far better protected from any possible whim of a judge by the indeterminate quality of the sentence, when the body deciding upon the length of time the prisoner shall serve in an institution is a competent parole board with which the sentencing judge has nothing to do. So the Congress approved the scientific principle of the indeterminate sentence, recognizing that the strongest ground for good conduct and industry in prison is the hope for liberty in the form of diminution of the term of imprisonment.

II.

"The indeterminate sentence should be applied to moral and mental defectives."

Here the Congress touched upon what is a weak point in most prison systems, namely, the treatment of criminal defec-

tives. We quote from a paper read before the New York Academy of Medicine by the general secretary of the Prison Association on January 19, 1911:

"Reformatory methods are based upon the assumption that prisoners of normal or average mentality may be benefited by their careers in the institution. Yet the senior physician in Elmira reformatory has stated recently that his records, extending over many years, show that at least thirty-nine per cent. of the inmates are mentally defective. The general superintendent of the reformatory has recommended to his board of managers the introduction into the present legislature of a bill permitting the reformatory to transfer the imbeciles now at Elmira reformatory to a custodial asylum.

"Present laws permit of the transfer of insane criminals from penal institutions of the State to hospitals for the criminally insane, but not for the transfer of the feeble-minded to custodial asylums of that class. So the thirty-nine per cent. of mentally defective inmates of the reformatory are ultimately released or discharged from that institution. Of seventeen such imbeciles paroled to the Prison Association in 1904, twelve had previously been arrested and ten had previously been imprisoned. At least five of the seventeen have been in prison since their release from the reformatory in 1904. One of the men reported as imbecile had been six times arrested and three times imprisoned before his commitment to Elmira, and is now a fugitive from justice. Of the sixty men recorded as defective mentally in a group of 450 men paroled from Elmira reformatory in 1904, forty-two had been arrested prior to their commitment to Elmira and twenty-three, or over fifty per cent., have been arrested since their parole.

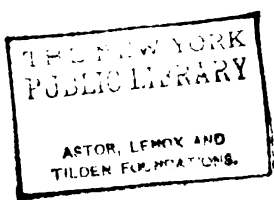
The Prison Association of New York, recognizing the absence of adequate study of the treatment of the mentally defective in our correctional institutions, took the initial steps in December, 1910, to organize a special committee on defective delinquents for the purpose of stimulating the study of defective inmates of correctional institutions, of standardizing the methods of such research work, possibly of publishing the results of such studies and research, of gaining public interest in this field, and ultimately of securing general legislation providing for adequate mental and physical treatment of all defective delinquents."

It is true that there exist two excellent institutions for the treatment of the criminal insane in this State, but there exists no special institution to which there can be transferred from penal institutions inmates who are feeble-minded, epileptic or suffering from venereal diseases. Nor is it customary (or in the case of misdemeanants possible) to transfer to the tuberculosis hospital at Clinton State prison inmates of institutions other than State prisons suffering from tuberculosis.

It is a grave question whether the indeterminate sentence should have any maximum in the case of those who are seriously defective, either mentally or morally. Non-criminal mental

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defectives, once admitted to a custodial asylum, may be retained until the managers of the institution decide that such inmates are competent to be at liberty. Add a criminal offence to the lives of such inmates and it is impossible to transfer them from a penal institution to a custodial asylum. It is to be hoped that legislation will soon provide for such transfer.

III.

"The indeterminate sentence should also be applied, as an important part of the reformatory system, to criminals (particularly juvenile offenders) who require reformation and whose offences are due largely to circumstances of an individual character."

This resolution naturally received the hearty support of the American members of the International Prison Congress. In several places in this annual report the necessity of reformatory treatment of juvenile offenders is emphasized. American penologists tend to hold the opinion that no criminal is incapable of reformation and that all offences are due to circumstances of an individual character, and that consequently the indeterminate sentence under the provision of the above resolution should be applied to all criminals, except possibly to criminals whose sentences are so short as to preclude satisfactory reformatory efforts in their behalf.

IV.

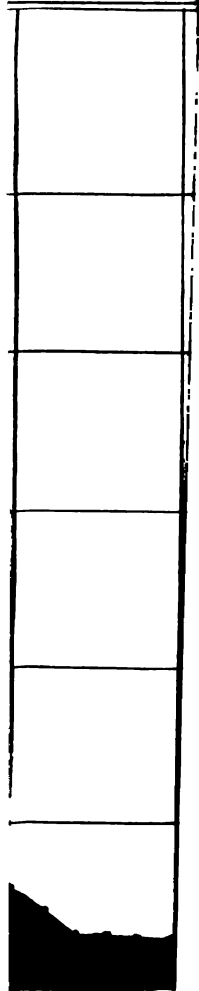
"The introduction of this system should be conditioned upon the following suppositions: (a) That the prevailing conceptions of guilt and punishment are compatible with the principle of the indeterminate sentence. (b) That an individualized treatment of the offender be assured. (c) That the board of control or of conditional release be so constituted as to exclude all outside influences and consist of a commission made up of at least one representative of the magistracy, at least one representative of the prison administration, and at least one representative of medical science."

The prevailing conceptions of guilt and punishment in the United States are becoming increasingly compatible with the principle of the indeterminate sentence. An individualized

treatment of the offender is difficult to secure in institutions of over 500 inmates, yet the difficulties facing individualized treatment in large institutions are not sufficiently great to bar the indeterminate sentence. There seems little doubt that at Elmira, for instance, a population of 500 instead of 1,500 would admit of more individualized treatment and also of a longer period of imprisonment than is now the case. The superintendent and assistant superintendent would be better acquainted with inmates and could study them better. Similarly in the State prisons, it is a regrettable fact that the population is so large. Yet these features of present prison administration have developed with the increasing population of the state and are not inherent difficulties, but may be obviated by the erection of additional institutions.

The integrity of a board of parole is absolutely essential, Judges might exercise their wise discretion, prison officials might work for months and even years for the purpose of reforming and rehabilitating their charges only to find in the case of a parole board swayed by political influences, or incompetent by nature, that the work of the court and of the prison officials had been vitiated by the arbitrary action of a few individuals constituting a board of parole. In some states the board of parole has met with exactly this kind of criticism which should stand as a warning to all states in which the principle of the indeterminate sentence has been accepted.

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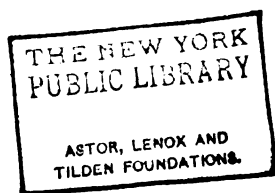
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What Shall We Do With Our Drunkards?

The resolutions of the National Prison Congress on the treatment of the inebriate we shall now discuss.

I.

"The experiments of the last ten years made in certain countries, providing special establishments for the detention of habitual criminal drunkards for long periods, two or three years, have been successful."

Inebriety is one of the curses of the age. It is a prominent factor in delinquency. The Onondaga county penitentiary reported, for the year ending September 30, 1910, practically four-fifths of its inmates as intemperate. This is indicative of a large proportion of inebriates in correctional institutions.

So long as we treat crime by old-fashioned methods and neglect to regard inebriety as having become in many instances a disease, we shall produce recidivists. Dr. M. S. Gregory, resident alienist at Bellevue Hospital in the city of New York, said in a recent report: "We build and maintain jails and reformatories, workhouses and penitentiaries for criminals, who have become so in the majority of cases as the result of alcoholic poison; yet we make practically no provision for their treatment before they become criminals, and while they are yet reclaimable alcoholics. There is no provision for the alcoholics, either rich or poor. The unfortunate family and friends cannot do anything under the present conditions, even when financial restrictions are no bar. It seems to me that it would be of the greatest aid to humanity if measures might be taken to reduce the consumption of this poison to a minimum and to provide proper curative institutions for those who have formed a habit, but who have not passed the curative stage into one of complete mental and physical deterioration. Such an institution should be custodial as well as educational, and due weight laid on individual moral factors. In such institutions many will find recovery, while for those who do not, proper restrictions will prevent their leading a life of crime."

The board of trustees of the Foxborough (Massachusetts) State Hospital for Inebriates has recently estimated that drunkenness cost the state of Massachusetts in 1908 over \$140,000 to provide institutions for prisoners. Ninety-four per cent. of the prisoners were recorded as intemperate by habit. The Massachusetts experiment of treating inebriates in a hospital, though applied to a comparatively small number, is reported to have yielded good results. Massachusetts has authorized the purchase of a new site, and buildings will be erected, in which the inmates may be classified, with long detention for chronic cases and outdoor work for all.

The futility of New York's present methods of dealing with drunkenness was never better indicated in this State than in a recent study of conditions in the alcoholic

Why Not Do ward of Bellevue and at the workhouse on
Something for Blackwell's Island by Mr. Bailey B. Burritt,
Drunkards? assistant secretary of the State Charities

Aid Association. Mr. Burritt points out that from May 1, 1908 to May 1, 1909, of 6,033 persons treated in the alcoholic ward at Bellevue, 284 were treated twice, 110 treated three times, 552 four times, 20 treated five times and 292 from six to twelve times. The total cost of the treatment of alcoholism in that ward, for persons treated only once, was approximately \$29,000. Total cost for persons treated more than once, \$7,000. In short, \$36,000 was expended in one year in a treatment which, according to the alienists at Bellevue, generally "gets nowhere."

The report shows further a number of cases in which several treatments a year are given to the same person, one person having been treated twenty-four times in five years. As if to cap the climax, the following case shows the history of one repeater who suffered from alcoholism.

PLACE.	Appear- ances.	Days.	Cost.
Arrest.....	34	.....	.....
Police station	34	.....	.....
Police court.....	34	.....	\$92.48
City prison.....	34	73	51.62
Workhouse.....	34	1,573	915.49
Almshouse.....	35	4,232	1,426.18
Metropolitan hospital.....	1	4	3.45
Bellevue alcoholic ward.....	1	2	3.16
	207	5,884	\$2,492.37

The Prison Association heartily advocates the establishment of special public institutions for the treatment of habitual criminal drunkards. Such institutions are successful in England and can be made so in this country. We favored last year a bill introduced into the Legislature by the State Charities Aid Association, providing for the establishment in New York city of a board of inebriety. The bill passed the Legislature and received the approval of the mayor of New York city and of the governor of this State. The bill provided for the establishment by a board of inebriety of one or more hospitals and agricultural colonies for the more permanent treatment of the inebriate. No person should be committed to any institution until every means for his restoration has been exhausted. A comprehensive probation system was provided for by the bill.

This bill was permissive for New York city, not mandatory. The board of estimate and apportionment has not yet taken action on this bill. Nevertheless the bill marks a decided step forward and will, it is to be hoped, result before long in a rational and systematic treatment of the inebriates of this city who undergo arrest.

II.

"It is not necessary to complete the discipline of these establishments by special medical treatment, but it is essential to the success of the method that the hygienic and medical treatment of the inmates of establishments of this class shall be directed by qualified medical practitioners."

This resolution advocates the general building up of the system of the inebriate rather by normal exercise, fresh air, good food, reasonable hours, rest and labor, than by special medical treatment, except in necessary instances. It goes without saying that the treatment of inmates of such institutions should be directed by those qualified to do so.

III.

"The further extension of this kind of detention of the inebriate under State control, with a view especially to arresting the habit in its early stages and to the avoidance of useless and repeated sentences to imprisonment, is desirable."

There will be few who will dispute the above resolution. Short sentences and repeated commitments to lesser correc-

tional institutions for what are considered the less serious offences are in many ways the weakest point in American penology. Long ago, in this State, it was recognized that there should be classification of defectives. The insane, the epileptic, the feeble-minded, the deaf and dumb, the blind—all have their special institution, although in most instances these institutions are crowded. It is just as necessary for the reduction and prevention of delinquency that within correctional institutions the classification should at least divide male from female, young from old, the able-bodied from the diseased, the inebriate from the healthy, the tramp and the vagrant from the skilled and ready worker, and the novice in crime from the habitual offender. Such classification cannot be brought about over night, but the public opinion of this State should be stimulated to recognize that in the absence of classification and in the presence of political management (or mismanagement) of any correctional institution, the State is the ultimate sufferer and the State sins against the individual prisoner.



Elmira Reformatory — Foundry Class



Labor of Prisoners.

Under this head the following resolutions were considered and are here discussed:

I.

"Prisoners should be paid according to their industry. The amount thus allowed should be administered for them, to support dependents and to provide a fund for their rehabilitation after release."

Few people will disagree with the statement that prisoners should be paid according to their industry. Throughout the country, however, there is a strong feeling that the products of prisoners' industries should not compete unfairly with the products of free labor. The inability of the present administrations in many states to prevent such unfair competition, without at the same time seriously reducing the market for the output of prison industries, has led either to great dissatisfaction with so-called contract systems, or has resulted in a meagre output as the product of prison labor. In the case of contract labor, some states allow the prisoner to work overtime and thereby earn a certain amount for himself. In other states, under the State Use or State Account system, the prisoner earns nothing or practically nothing beyond his maintenance, frequently not even paying for the latter by products of his labor.

The congress recognized that conditions vary not only in the countries of the world, but also within the various states of the United States, and no specific resolution was adopted outlining a plan for the payment of prisoners. In New York State, the State Use system prevails. It is the only system legally maintained in any of the penal institutions of the State. Its extension was not furthered by any legislation during 1910, although bills providing for extension of the State Use system in the penitentiaries and in the county jails were introduced into the Legislature.

The same unhappy, detrimental and absurd condition still prevails in several of the county penitentiaries and in very many of the county jails that has prevailed for years. The inmates of the Albany county penitentiary remain practically in idleness, likewise the inmates of the Erie County

**The State an
Offender
Against the
Criminal.**

penitentiary. At the Onondaga county penitentiary a quarry occupies a large number of the prisoners in the summertime and the stripping of willows engages some two hundred or more men during the winter. The products of the quarry, however, are not drawn upon to any extent by the towns of the county, and comparatively little stone was manufactured in 1910. The willow stripping industries at the Onondaga county penitentiary have existed for some years, the work having been done by contract for the town of Salina and for the village of Liverpool. It is an occupation which does not teach a trade, the number of willow strippers on the outside being more than enough to fill the demands for that occupation and the wages for this occupation being relatively small.

At the New York county penitentiary on Blackwell's Island, the industries approach in character those of our State prisons and in comparison with the extremely small amount of work done in other county penitentiaries, the New York county penitentiary stands as a gratifying exception. Nevertheless, the New York Prison Association knows that the work in the various departments could be greatly extended and additional industries created at the penitentiary on Blackwell's Island, and feels that the city should make an appropriation sufficient to enable the commissioner of correction to install such industries as in his judgment can produce articles for the use of other city departments.

The resolution cited at the beginning of this section stated that prisoners should be paid according to their industry. Prisoners, however, should be required by the State or the respective political divisions of the State first to earn their own maintenance. Until that occurs, money given to them in the form of wages is practically a charity. That the earnings of prisoners (if there are earnings) should be used first for the support of their dependent families is a principle that meets general approval. The Prison Association is repeatedly called upon to give aid to dependent families of prisoners. It is a

sad situation in this State, that by the imprisonment of a breadwinner for a crime the greatest physical suffering is liable to be inflicted upon his innocent family. Until the time shall come when by extension of the State Use system, or otherwise, prisoners shall be able to lend partial support to their families by their labor while in prison the help of the Prison Association in New York city, and to some extent outside of the city, will be necessary, thus making evident the truth of the second resolution, which states:

II.

"For the present, it does not seem practicable for the State to carry out the full program of relief. Until that idea shall be practicable, it is advisable that committees and prisoners' aid societies should be the chief distributors of relief for the State and furnish the same when not otherwise supplied."

We have discussed the two resolutions above mentioned as though they had passed the Congress. As a matter of fact the resolutions were referred back to the section where they originated, and were made to read as follows:

RESOLVED, That it is desirable that the State should allow payment to be made to prisoners and that steps should be taken to provide that any sum of money accorded to prisoners should be available for the assistance of their families if in need.

In this form the resolution passed. It is a weakened amendment of the resolution above mentioned. For the purpose of our discussion, we have noted the strong resolutions, which in general were accepted by members of the Congress.

Work in Smaller Prisons.

The resolutions on this subject were as follows:

I.

“All penal institutions, including houses of detention and jails, should be under the control of a central authority.”

This resolution would probably not be agreed to by specialists in prison work in the State of New York, except in part. At present our three State prisons and two hospitals for the criminal insane are under a central authority, the Superintendent of Prisons.

The two reformatories for males between the ages of sixteen and thirty years are under the authority and management of the board of reformatory managers.

A Central Management of Correctional Institutions. The correctional institutions of the city of New York are under the department of correction. County penitentiaries are under the boards of supervisors of the counties in which they are located, except in New York county. The New York county penitentiary is under the administration of the department of correction. The county jails are under the management of the county boards of supervisors, except that in New York city the workhouse and the Tombs, administered by the department of correction, take the place of a county jail. Throughout the State, police stations in the cities and lockups in the rural districts are under city or town management. In short, there is far more divided authority than centralized authority in the management of correctional institutions.

Yet no one has recently proposed that all correctional institutions should be under control of a central authority, which would naturally be the State. It is possible and prob-



Elmira Reformatory—Class in School of Letters

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able that before many years the county penitentiaries will become what they ought to become, State district workhouses. Their present management is inadequate and unmodern. The counties have little pride in their penitentiaries, and the institutions are too often looked upon as a part of the spoils system.

That one central authority, administering prisons, reformatories, penitentiaries, and jails would be able, if the appointments were of sufficiently high grade, to administer the penal institutions more satisfactorily than at present, is probably true. On the other hand, there is no doubt that in many respects the present administration of the State prisons through the Superintendent of Prisons, and of reformatories through the board of reformatory managers, is yielding excellent results. There is a strong feeling also that in the case of institutions for special classes of defectives or delinquents there should be a board of managers for each institution. The two opposing views are best illustrated by the centralized administration of the State prisons on the one hand, and by the administration of the reformatory institutions for women on the other hand, each of the latter institutions having its separate board of managers. A compromise measure was introduced into the Legislature of 1910 by means of bills providing for the introduction or extension of industries in the penitentiaries and jails and the sale of the products of these institutions through the State Prison Department, in the same manner in which the State prison products are now disposed of.

II.

"All persons, whether sentenced for long or short terms, and whether confined in large or small prisons, should be employed at useful labor."

This is almost an undisputed principle. The arguments against prison labor in this State are not that the prisoner should be kept in idleness, but that the products of his labor should not compete in the open market with free labor. The prisoner's health requires that he should have a certain amount of labor. Imprisonment without labor is bad, because labor is disciplinary as well as healthful. The prison should furthermore seek to obtain from the labor of prisoners as much of its maintenance cost as possible.

III.

"So far as local conditions permit, all persons serving sentences should be concentrated in institutions large enough to permit of the effective organization of labor, leaving local jails and houses of detention solely for prisoners awaiting trial.

This resolution embodies principles for which the Prison Association has long contended. It is most deplorable that prisoners awaiting trial and still presumptively innocent should be confined in the same jail and be allowed freely to mingle with prisoners serving sentences after conviction. Local jails should be houses of detention. Prisoners after conviction should be concentrated in district workhouses, if they are not committed to State prisons or reformatories, and should there be required to work reasonably hard for a reasonable period during each day. If special institutions were provided for young misdemeanants and for tramps and vagrants and for the inebriate offender, the district workhouses would lose a considerable portion of their population and would receive from the jails those who now serve their term in jail because their sentences are short or because the penitentiaries are crowded.

The evil of the short sentence has also been emphasized almost *ad nauseam* in our reports. Short sentences are so ineffective as a cure for crime that penologists today tend to advocate either the suspended sentence with probation, or a period of imprisonment sufficiently long to produce under satisfactory prison conditions a lasting reformatory effect upon the prisoner. The concentration of persons serving sentences in institutions large enough to permit of the effective organization of labor would make such an institution more productive, more able to earn the costs of maintenance, and would admit of the classification and individual treatment of the prisoner in a way now impossible in county jails.

IV.

"Where such concentration is not possible, various kinds of labor should be introduced, depending upon the economic conditions in a given locality."

During 1911, representatives of the Prison Association will visit so far as possible all the county jails of the State, having

specially in mind possibilities for the development of labor in connection with these institutions. We recognize that for a considerable time to come the county jails will probably be used as places of imprisonment. It is the duty of the Association to be constructive in our suggestions for the employment of prisoners. We hope that our report in 1912 will contain many useful suggestions along this line.

V.

"It would be desirable that the large prisons, with well organized industries and effective industrial equipments, should serve as training schools for the men who will later take charge of the smaller institutions."

The necessity of training men and women for prison administration is apparent. The Superintendent of Prisons announced during the early part of 1910 that training schools for prison officials would be established within the State prisons in the latter part of 1910. No action of this sort has as yet been taken. There is no training school in this State for prison officials. The Prison Association has advocated such a training school, and it is possible that the School of Philanthropy, under the direction of the Charity Organization Society, will to some extent impart instruction of this character in future years.

Appointments in the county correctional institutions are frequently political. Appointments in the reformatories and the State prisons are much more satisfactory, yet it certainly is not of high advantage to the State that wardens and subordinate officials should be appointed who have had no previous training in prison administration. It is uneconomical, and the administration of prisons by persons unversed in penological principles is apt to bring discredit upon the State.

The problem of working out a training school for prison officials is one that should demand the attention of the State Prison Department, the State Commission of Prisons, the Board of Reformatory Managers and the Prison Association. We suggest that a conference of the representatives of these various bodies be held to take up this question.

VI.

“Officials of smaller institutions should include, if possible, at least one man competent to direct industrial work.”

This resolution hardly needs to be amplified. It is the duty of the State not only to furnish and require labor in its prisons, but to see that the kind of labor required is of a character to fit, so far as possible, the laborers for useful work and self-support when they leave prison.

COREY RESIGNS AS PRESIDENT OF STEEL COMPANY

Magnation Announced By Judge Gray
 To Take Effect at the pleasure
 of the Directors

LIEBLY HE WILL HAVE NO SUCCESSORS

Albany, Jan. 2.—William F. Corey, treasurer of the United States Free Commission, resigned today, and it is likely that he will have to be replaced. His resignation was announced late this afternoon by Edwin R. Soley, chairman of the finance committee of the commission. He took effect at the pleasure of the clerkship. Soley filed a statement below:

"After Harry Dean, senior partner of Smith Barney, is president of the United Negro College Corporation, W. E. Duboy has assumed his obligation to take effect the wishes of the board of directors.

It is the general custom of the members of the Young Men's Association that those should not be elected to positions of prominence in the organization, if at all. The association and leaders of Mr. Casey have failed him in this charge of the organization that would have been made, and in attributing the same to the national leaders.

business and will be thoroughly acquainted with the type of work which is being carried out by the various departments. It is intended to concentrate on the whole of the

The relations between the crown and the members of the house and of the various institutions, universities, as well as of the officers of

The United States Steel Corporation and other steel companies have been most generous and successful in financing efforts to save the last remnant of an industry common with the company.

[illegible]

ARMED AND DANGEROUS
 State, Maryland, License, Exp'd, 1/1/1911
 (MAYOR'S OFFICE, BALTIMORE, MD.)

University, Md., Dec. 1-1. Nathan F. Johnson, of "Kalamazoo," was nominated for the Union & Progress House, in Maryland. (Source: *Language*, Feb., of the New York University Press, New York, 1900, p. 100.)

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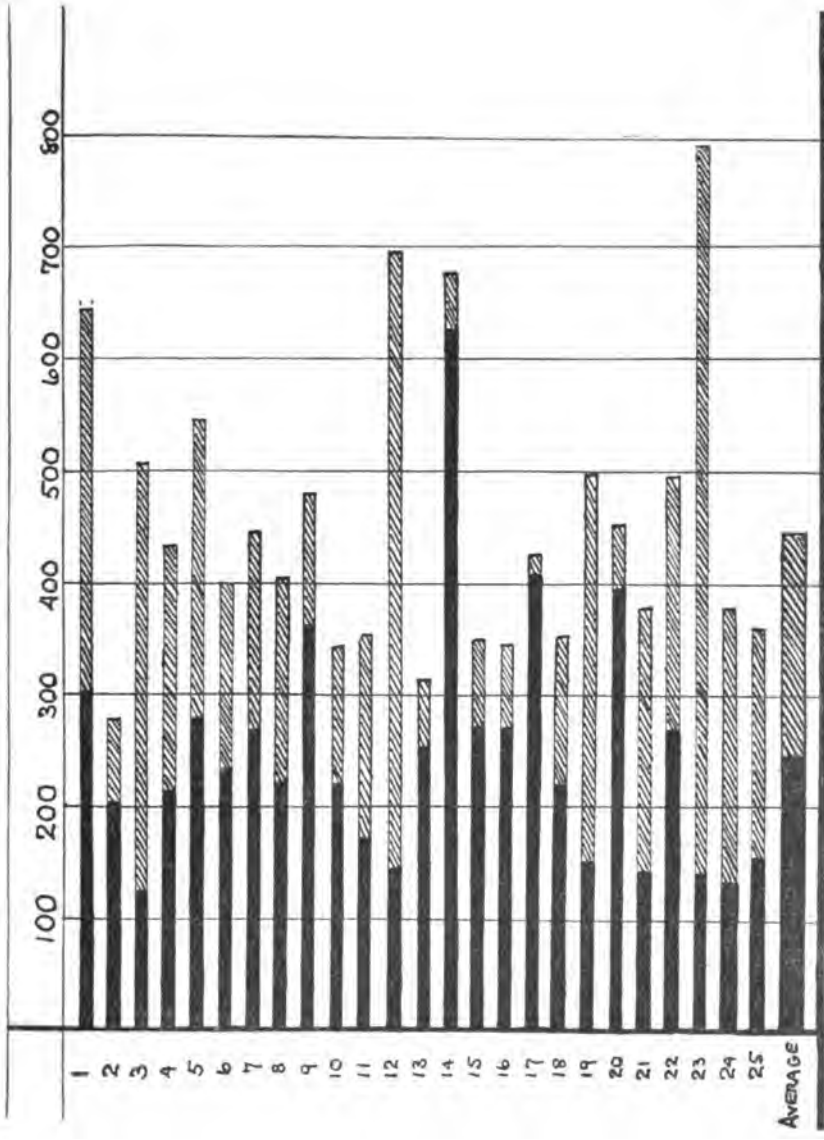
Children were also given age-related sets of questions of being placed later on, and W. M. Evans, who led the programme, was assisted by the University of the North. These were presented,

Department of Public Health, University of Michigan, Ann Arbor, Michigan.

"We decided that the 'leading' had to be left," he said.



Table showing the per capita annual cost in marks of each of the 25 labor houses of Prussia (1907-1908), and the per capita earnings for the same period. The complete line represents the gross per capita annual cost, and the black portion of the line the per capita annual earnings. The shaded line represents the net per capita annual cost, in marks.



Shall We Have Tramps and Beggars?

I.

"Society has the right to take measures, even compulsory, against mendicants and beggars."

The question of vagrancy will not down. No State or locality can with impunity bury its head, ostrich-like, in the sand, disclaiming knowledge of the seriousness or extent of the vagrancy question, or condoning all begging and tramping because occasionally an honest man is "down-and-out" because of unemployment. No State of the Union has as yet a systematic method of dealing with tramps and vagrants. Some states simply have worse systems than others.

**Vagrants
and
Tramps.**

Tramps and beggars often become petty criminals. They are parasites upon the body politic, expensive whether as recipients of indiscriminate or organized charity, or as inhabitants of charitable or correctional institutions.

Society has the right to protect itself against crime. Beggars and tramps are offenders against the law. Americans, being as a rule soft-hearted and long-suffering, often twist the gospel of "another chance" and a "square deal" into the sentimental policy of "passing on" and forgetting the hapless, penniless wanderer.

The press of the land teems ever with accounts of the depredations of tramps. Railroad property is stolen or destroyed, dwellings are burned, women and children are assaulted, disease is spread, morals are contaminated, and vicious degeneracy is cultivated. The customary habitats of the vagrant class are unsanitary lodging houses, dirty jails, town or county supported almshouses, and, on the road, the freight or passenger trains upon which free rides are

**The Cost
of
Vagrancy.**

sought, often ending with dangerous altercations with long-suffering train crews.

The existence of vagrancy is incompatible with rational social progress. The tramp, industrially somewhat efficient in his early years of vagrancy, becomes an habitual idler, a menace to society, and a very definite expense to any community in which he happens to be.

He is no windmill of straw. There may be a half-million vagrants in the United States; there may be but half as many. Whatever the number, that number is too large. What excuse is there for the vagrant? Who benefits by him? Only the fringe of industrial society that maintains shelters for him, or profits by his misdeeds. Merchants sell him few goods; industries manufacture few articles for his purchase. Transportation lines lose instead of earn from him; hospitals, almshouses and jails spend money to support him.

Why do we blandly continue to tolerate him? Largely because we have not "gotten that far" in our correctional methods. The presence of the occasional earnest but penniless seeker for work still makes the presence of thousands of vagrant parasites possible. With a singular perversity we tend to turn the lesson of the ancient parable around and to say with self-gratification: "As long as one of the hundred may be honest, I will not harm the other ninety and nine," forgetting that thereby the one honest man is allowed still further to travel along the road so familiar and so demoralizing to the ninety and nine that have preceded him.

Why Have Vagrants?

II.

"The right of society to take measures of social preservation involves the duty, on the other hand, of systematically organizing public and private charity societies in aid of prisoners."

To what extent is the State of New York organized to care for ex-prisoners or non-prisoners "on the tramp?" Let us at the outset recognize the fact that, save in times of industrial depression, *the bulk of the great army of the vagrants does not need to travel*. Work is not so scarce that, as in continental countries, the search for work compels vast regiments of

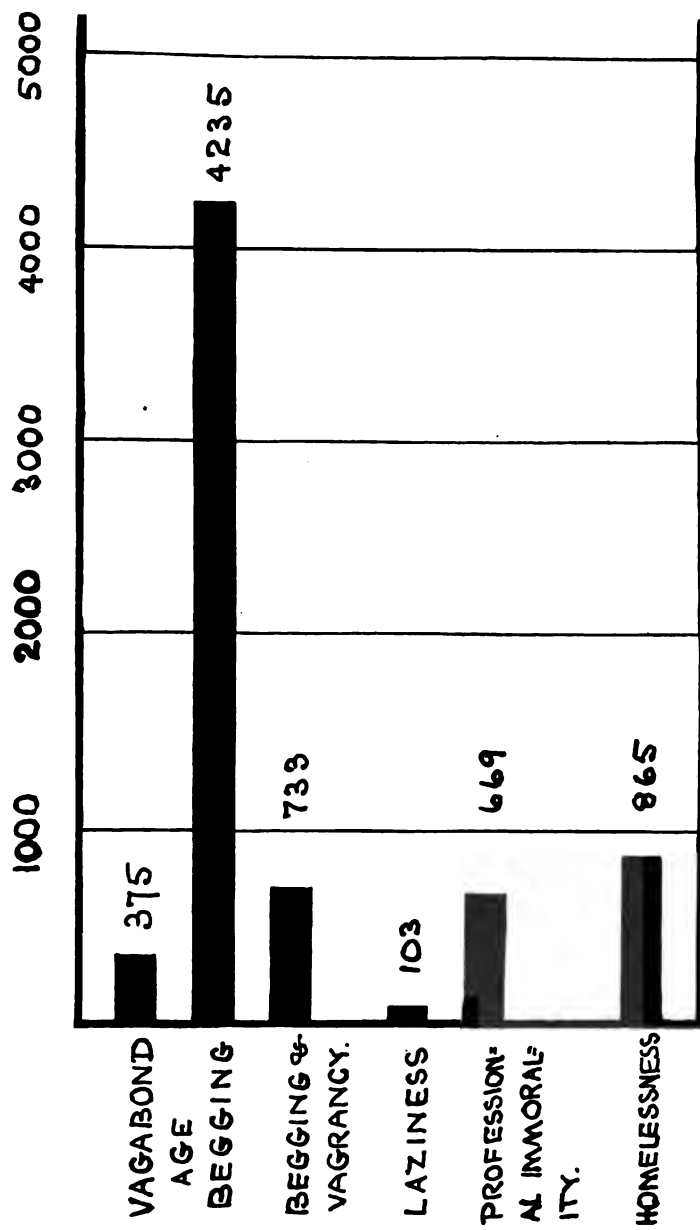
workers to tour the country on foot. The normal wage-earner will testify to the fact that, hard as it is to make both ends meet, the ends can generally be met in most trades as well in the community in which the worker dwells as in some other community.

Were this not so, the further fact cannot be blinked that the great majority of the tramping army are of the less-skilled or unskilled classes. Unskilled and casual labor is precarious and unsettled in most communities. It is very seriously to be questioned whether the underlying motive for tramping (by which one means riding trains, in general) is the search for work or the gratification of the desire to wander and to be "somewhere else."

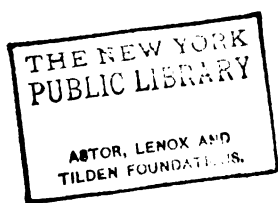
Provision for the tramping ex-prisoner or the non-prisoner should take the form of charitable societies, employment agencies, and public institutions where in

What Do We return for work rendered, food and lodging
Do Now? may be secured. New York State in its larger urban centers is well provided with charitable agencies. Many of the charitable societies of the State have industrial facilities for the temporary employment of homeless men. Let us remember, that to the experienced vagrant such agencies are better known than to the average citizen of the community in which the vagrant ostensibly seeks assistance, and that such communities are not attractive to tramps that seek unrecompensed assistance. Furthermore, the plea of the vagrant that he is far distant from agencies for charitable help raises at once the question why he should have departed from such agencies, the knowledge of which is surprisingly general in the world of wanderers.

The experiment with free employment agencies in this State, some years ago, seemed to show that the free employment agency was placing in New York city, mainly a low grade of labor, and that this was overlapping the work of commercial agencies that were better equipped to perform this work. Throughout the United States, according to a careful investigation made in 1908 by Edward T. Devine of the New York Charity Organization Society, the free public employment agencies seem to be in general influenced by politics. On the other hand, continental countries, and particularly the several political divisions of the German Empire, have developed labor registries of no mean efficiency. Great Britain during the last year is reported to have established over two hundred labor



Causes of Commitments to Prussian Labor Houses, 1907-1908



registries, recognizing that facilities for the proper exchange of labor are essential to any large handling of the problem of the unemployed.

Each county of the State of New York has its almshouse, which in the case of the incapacitated — and often in the case of the able-bodied vagrant — can be called upon for assistance. Too often such aid is given without compensatory work, which should be a matter for radical change in many a county.

Obviously, however, this State is on the one hand equipped with no system of labor registries, and, on the other, with charitable agencies, that would furnish to the **The Menace of the Future.** tramping man assurance of finding work or care in communities not too far distant from each other. On the other hand, there should be emphasised the fact, almost universally testified to by charitable societies, employment bureaus, almshouse authorities, and prison wardens, that the tramping man is generally not seeking work, but fleeing from it. There will come a time, undoubtedly, as the nation's population increases greatly, when this country will be confronted with the more comprehensive and urgent problem of the unemployment of large masses seeking work. Today we face only occasionally and in various localities such an "unemployment problem." The "vagrancy problem" is its precursor. Continental nations, through their experience, say to the United States: "Take time by the forelock and deal rationally and adequately with your increasing flood of vagrants."

III.

"There is need of different treatment of mendicants and vagrants, according as they are (a) incapacitated or infirm; (b) accidental mendicants or vagrants; (c) professional mendicants or vagrants. The first class need assistance until they shall have recovered the necessary ability to support themselves. The second class should receive public or private assistance or should be received in refuges or relief stations where work will be compulsory. The third class should be subject to severe repressive measures of a nature to check recidivism."

In short, adequate assistance for the sick or the infirm beggar or vagrant; temporary help for the accidental beggar or

vagrant, with a work requirement if he is able to work, and severe repressive measures for the work-shy.

Our failure to treat the problem of begging and vagrancy on a large plan has resulted partially from our absence of classification of beggars and vagrants. In dealing

Classification. with tuberculosis we have recognized three classes of cases: the incipient, or curable; the more advanced, or helpable; the far advanced, or cases to be segregated for the purpose of eliminating infection of others. So with vagrancy, and begging, should we classify and treat differently the curable classes in the first stage of vagrancy; the helpable cases, and the unhelpable or vicious cases that demoralize others.

IV.

"As a necessary means for aiding in the suppression of wilful and professional mendicancy and vagrancy, workhouses (*maisons de travail*) for professional mendicants and vagrants should be established."

By workhouse is meant an institution where inmates are compelled to work, not where they are to be maintained in comparative idleness as in the New York City Workhouse or in many of the county jails and county penitentiaries. Work is the antidote for vagrancy. Whenever work is systematically adopted in correctional institutions, the population of such institutions falls off, in so far as the inmates have more or less choice as to committing offenses which will ensure their commitment to these institutions. Men would far rather go into the disgraceful idleness of the Albany County Penitentiary than into the fairly active industrial life of the penitentiary on Blackwell's Island.

That an immense amount of recurrent visits to jails and penitentiaries in New York State exists has been often shown.

Prison In fact, the counties of our State expend hundreds of thousands of dollars annually
"Rounders." to support loafers in jails and penitentiaries, whereas the introduction of active industries into these same institutions would not only become a source of some profit to the counties, but would materially lessen the number of inmates in some of the notorious "winter resorts for tramps."

Such a reorganization of the penitentiaries and jails of our State would be but part of a comprehensive plan for dealing with mendicancy and vagrancy. Never should we forget that the county jails, of which there are over sixty in this State, are not originally or properly for the imprisonment of convicted offenders, but for the detention of prisoners awaiting trial. For misdemeanants after conviction the penitentiaries exist. These penitentiaries are so filled in the winter months with tramps and rounders and work-shys that many misdemeanants who might be sent to penitentiaries are after conviction held in county jails. Few county jails are architecturally suitable places for even short-term men, who should be congregated where their labor may be made use of, and where they may be classified, systematically dealt with, and be subjected to industrial and moral influences. Furthermore, the association of persons awaiting trial with persons convicted of crime is, from the moral standpoint, unpardonable. Yet many of our county jails accomplish exactly this result. What valid excuse can State or county give for herding thus the innocent and the guilty? The counties commit an ethical, if not a legal crime, upon tens of thousands of persons each year whom the courts upon trial find innocent of crime. How long must this governmental crime continue?

It will continue until from the penitentiaries are eliminated the professional tramps and work-shys. Hence the agitation during recent years in this State for a labor colony for habitual tramps and vagrants. In 1909 and in 1910 bills were introduced into the Legislature providing for the establishment of such a labor colony, "for the detention, humane discipline, instruction and reformation" of the inmates of said colony.

**Labor
Colonies
a
Necessity.**

Such a colony would be more deterrent than reformatory, though inevitably a certain percentage of reformations would be accomplished. The great value to the State would be economic. Such a labor colony would be the strongest possible argument in the State to discourage vagrancy. A commitment to this institution being indeterminate, with a maximum of eighteen months for first offenders, the attitude of would-be work-shys would undergo a radical change as to the desirability of imprisonment as an antidote to the winter's cold and the difficulty of living by one's own exertions. The establish-

ment of a compulsory tramp colony would furnish an outlet for the most useless inmates of the county penitentiaries, freeing these institutions for a more useful and helpable class of offenders. The county jails could then be used far more than at present for prisoners detained for trial.

Such compulsory industrial colonies, while not introduced as yet into this country, are of long standing in European countries, particularly in Germany. They do not solve the vagrancy problem, nor even rehabilitate many professional

What most difficult subject for rehabilitation.
Foreign Labor They do segregate a vicious and para-
Colonies sitic element from society, removing them for
are Doing. considerable periods and reducing vagrancy
 by the comparative severity of their sentences.

Some statistics from twenty-five such labor colonies and institutions in Prussia are illuminating.

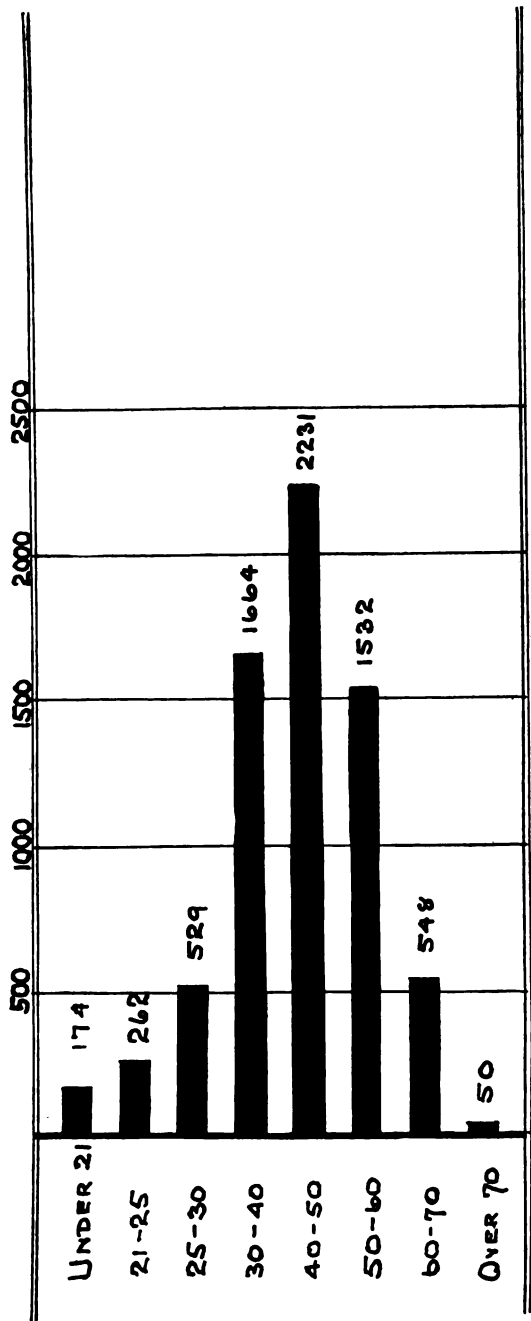
The twenty-five compulsory labor colonies and institutions in Prussia had a population in 1907-08 of 15,495. The average daily population was 7,528. There were committed to the institutions, for vagabondage, 375; begging, 4,235; begging and vagrancy, 733; laziness, 103; professional immorality, 669; homelessness, 65.

The periods of commitment are specially to be noted. Of the 6,988 persons committed during the year, only twenty-five were committed for three months or less; sentences from three to six months were imposed upon 1,685, while 3,594, or 51 per cent. of the total number of inmates committed during the year were committed for periods of from six months to two years. A commitment of two years was given to 1,684 persons. It is very evident that the Prussian labor colonies (*Arbeitshäuser*) are not "winter resorts for tramps," nor are they resorts of idleness, as is shown in the following schedule of work.

(Program of the Prussian Tramp Prison of Benninghausen.) The day begins for the inmates at 4.30 during the summer months, (April 1st, to September 30th,) and at 5.30 during winter and on Sundays and festivals. The hours are divided as follows:

A Foreign
Program of
Daily Work.

4.30 A. M. At the sound of the bell every prisoner has to rise, dress and wash, and in a quarter of an hour must have arranged his bedclothes and be ready to leave the dormitory.



AGES OF INMATES, PRUSSIAN LABOR HOUSES, 1907-1908.

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ASTOR, LENOX AND
TILDEN FOUNDATIONS.

- 4.45 A. M. Assembling in the corridors the prisoners are numbered, after which "they shall offer up at word of command a silent prayer." Then the field laborers, the implement room workers, and the bakers go to the dining-room, and the weavers, tailors, shoemakers, cigarmakers, and the female inmates to their workrooms, there to begin at once their work.
- 4.50 A. M. The bell sounds for the morning meal (soup and bread), the inmates going to the same in bands in charge of the overseers.
- 9 A. M. Work is continued without interruption until 9 A. M., when there is a pause of a quarter of an hour for bread and beer. (It should be remembered that in many sections of Germany beer is regarded as a staple article of food.)
- 11.40 A. M. A pause for dinner, which is partaken, like breakfast, in bands. (For the outside laborers a different order is followed.)
- 12 to 1 P. M. A pause, during which the prisoners have at least a half hour in the open air.
- 4 P. M. A pause of a quarter of an hour for bread and beer.
- 7.15 P. M. (In winter and on Sundays and festivals 6.15 P. M.) The bell rings for supper, and work ends for the day.
- 7.50 P. M. The prisoners are examined for the detection of forbidden articles, and at 7.55 they are marched away to bed.

The workday is thus about twelve hours in summer. But while as a rule the hours are the same for all, work is not altogether measured by time, but according to the capacity of the individual inmate, and where the tasks imposed are unfulfilled at the close of the day owing to evident sloth or insubordination, some sort of punishment follows.

To cite this German regime does not mean that we advocate its adoption, as it stands, for a somewhat similar American institution. But how are we treating our tramps and vagrants *now* in some New York penitentiaries? We quote from an official letter sent by the secretary of the State Prison Commission of New York (a body appointed by the Governor of the State) to the supervisors of Dutchess county, in November, 1910, warning them not to send prisoners to the Albany County Penitentiary. Let us remember in this connection that a liberal portion of the inmates of the Albany County Penitentiary are tramps and vagrants.

"Until the more important recommendations of the Prison Commission are carried out, the penitentiary is an unfit and degrading place for any prisoner to be confined. * * *

**A Wretched
Condition in
this State.**

In each cell are two bunks, one above the other, each two feet wide, and attached to iron frames, on which the prisoners sleep. The bunks are without bed clothing, and the sagging canvas bottoms leave a narrow depression on which the prisoners sleep between bars.

The only ventilation in the cell is a four-inch hole in the rear, and most of the holes are stopped up, the prisoners explain to keep out the

vermin. The cells are unclean, except in the woman's section. The prisoners receive blankets when they enter the penitentiary, and these blankets, unwashed, do service throughout the term. Some of the prisoners are in for from six to twelve months. The male prisoners must sleep naked or in the striped prison suits. They remain in their cells fifteen out of the twenty-four hours, and eat all their meals in their cells from tin plates and cups. Where two prisoners occupy one cell, the condition is intolerable. The idleness of the prisoners is deplorable. Most of the prisoners have nothing to do, and more than half of them sit idle in their cells or in the prison workshop all day. No efforts are made to instruct them in any kind of work, and there are not enough baths to keep the prisoners clean."

This is an official report on an institution not five miles from the legislative chambers of New York State, in the year 1910. Is there need of a change of administration in the treatment of tramps and vagrants? Is it any wonder that the county and the state can not deny the charge that some of our institutions are schools of crime and makers of tramps and vagrants? How long shall we stand it?

V.

"Within these institutions (continues the recommendation of the International Prison Congress) comprehensive systems of classifications of inmates should be made, separating the inmates requiring discipline from other inmates, and providing a class or classes for the more industrious or better behaved, with such inducements as are proper and conducive to the reformation and progress of the inmates toward rehabilitation."

This resolution simply emphasizes the supposedly American doctrine of the "square deal". The Congress went on record as affirming that "no prisoner, no matter what his age or past record, should be assumed to be incapable of improvement, and that it is in the public interest not merely to impose a sentence that shall be retributive and deterrent, but also to make an earnest effort for the reformation of the criminal." This granted, and in fact put into practise in our State prisons and reformatories, why limit the principle, thus denying to the miserable unfortunates in penitentiaries and jails the advantages that more hardened offenders receive, often in abundance? Why continue the paradoxical situation, whereby the lesser offenders are, as in Albany, placed in conditions that are outrageously unjust and thoroughly unreformative?

The answer is not difficult. There is no centralization of direction of the penitentiaries and county jails. The board of supervisors, in little or no sense penologists, are the county governing board, appointing the wardens of the penitentiaries save in New York county. Political influences are too often successful in placing at the head of a penitentiary a man who,

**Centralize
Our Penal
System.**

however good-hearted, commands little or none of the ability characterizing the best wardens of our State prisons and reformatories. The term of the warden is dependent upon the board of supervisors. Appropriations for the support of the county institutions are not too generous. Industries are not developed, because of the alleged initial expense and the alleged difficulty of marketing the products. The line of least resistance is followed, and at Albany no industries are carried on except "checker playing and newspaper reading," it is said, while at the Onondaga penitentiary at Syracuse the only industry is the stripping of willows in the winter, while a similar situation obtains at the Erie County Penitentiary at Buffalo.

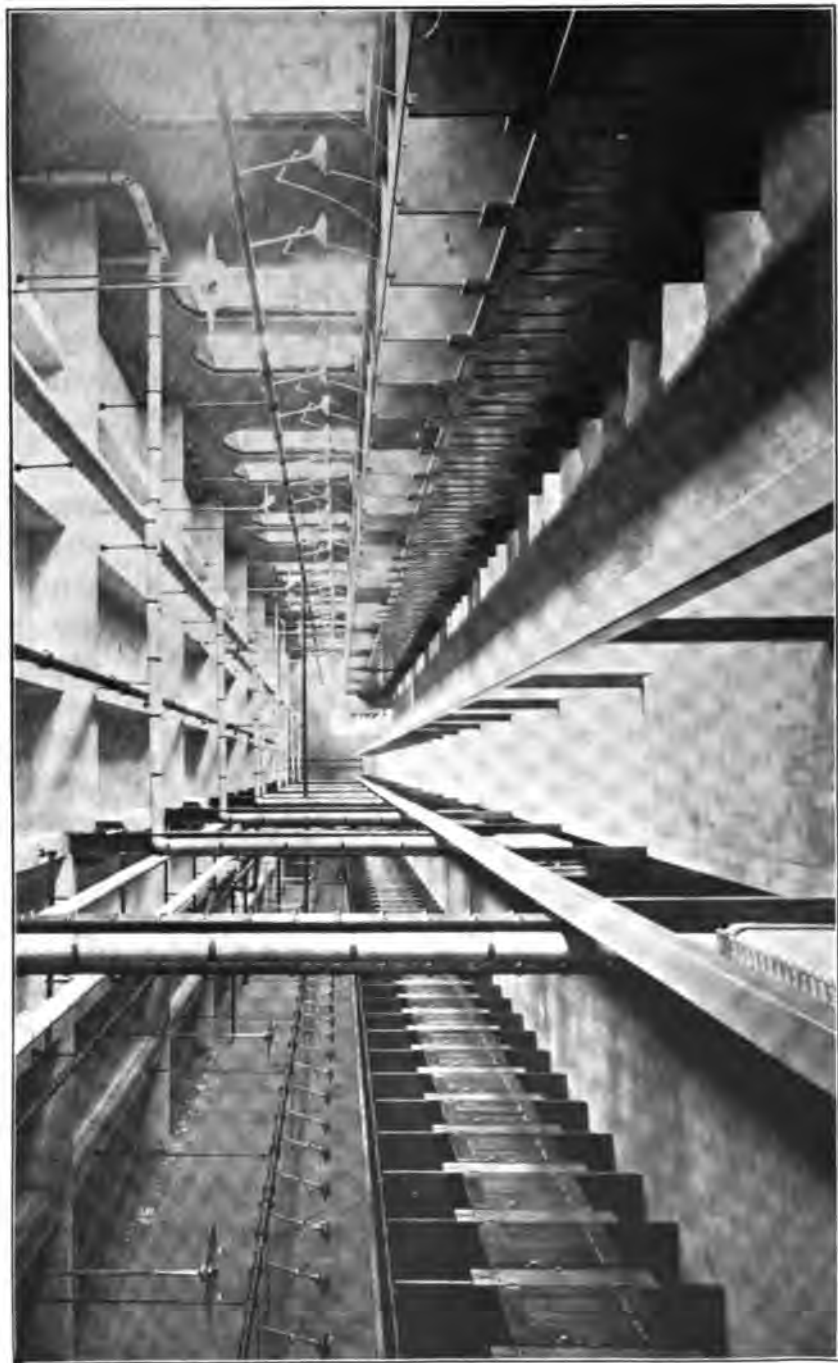
Obviously a thorough reorganization of the county penitentiaries should take place, for the sake of the taxpayers if not for the prisoners. Looking toward this end, bills were introduced into the Legislature of 1910 authorizing the counties to establish industries in the penitentiaries, the products of these industries to be sold by the State Superintendent of Prisons in the same manner in which the products of the State prisons are now sold. These bills were not reported out of committee but will undoubtedly be introduced again in the legislative session of 1911.

Ultimately the control of the penitentiaries should be by the State, there being no inherent reason why counties should manage the penitentiaries, especially as they

**The State
and the
Penitentiaries.**

are in general managed at present. The penitentiaries should be transformed into State district workhouses, controlled probably by the Prison Department of the State, and the State-Use system should be extended through all the penitentiaries. The county jails should become largely if not wholly detention prisons for those awaiting trial or for witnesses. At present very unfortunate and sometimes most wretched conditions of idleness prevail in county jails. The

sheriff, being the officer in authority, and in little or no sense an experienced penologist, cannot be expected to be very progressive.



Elmira Reformatory — Bath Room

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TILDEN FOUNDATIONS.

The Results of Probation.

1. The effects of probation are beneficial when applied with due regard to the protection of the community, and to persons who may reasonably be expected to reform without resorting to imprisonment; and when the probationers are placed for a reasonable time under the supervision of competent officers.

2. The effects of suspended sentence without probationary oversight are difficult if not impossible to ascertain.

3. It is desirable to introduce and extend laws providing for probation and to provide in each state or county some central authority which will exercise general supervision over probation work.

The probation system in New York State has come to stay. In 1910, probation was used in the supreme and county courts of 30 counties, in the courts of 36 cities and in over 40 town and village courts. Comparing the situation with the previous year, 3 counties, 6 cities and about 20 towns and villages used the probation system during 1910 for the first time.

The word "probation" is in many respects synonymous with education:—education to the man or woman on suspended sentence as to the uselessness of crime, education to the court as to the possibility of reforming offenders without imprisonment, education to the public as to the desirability of giving the offender another chance before the prison walls make him in after life a "jail bird." During the year 1910 over 6,000 adults in New York State were placed on probation and over 2,100 children. That this is not a considerable gain in the total number of persons on probation is due to the withdrawal in the fall of 1910 of 27 police probation officers and the general temporary confusion in the probation work in New York city, resulting from the delay in holding civil service examinations for probation officers in New York city to meet the terms of the new inferior courts act.

The number of probation officers holding appointments in the State on the last day of 1910 was 585, as compared with 454

on the corresponding date in 1909. Summing up the extent of the use and growth of the probation system during 1910, it may be said that during this year the probation system has been used in more courts than ever before; that outside of New York city it has been used in more cases than ever before; that the number of probation officers has materially increased during the year and the number of salaried positions materially increased. The Page Commission in its final report to the Legislature stated: "We know of no more marked step forward in the administration of criminal jurisprudence than the probation system."

Briefly stated, the legislation enacted in New York state by the legislature in 1910 with reference to the probation system was as follows: The code of criminal procedure was amended by enumerating clearly the duties of probation officers and the conditions of probation which courts may impose; by providing that the probationary periods may be longer than hitherto, and that defendants placed on probation may be required to pay restitution and reparation, and that men convicted of non support may be required while on probation to provide for the support of their families; and that probationers may be required while on probation to pay fines and installments in the lower courts as well as in the higher courts, which were the only courts previously possessing the power to collect funds and installments.

The Prison Association is glad to concur with the State Probation Commission in recommending that boards of supervisors throughout the State make appropriations for the salaries of county probation officers to serve in supreme and county courts and in all courts of towns, villages and third class cities in their respective counties. Fifteen counties now provide for salaried probation officers at salaries varying in amount up to \$2,000. This the most practical and effective way of providing the services of a competent probation officer for rural communities. One or two counties have paid probation officers on a fee basis, but this is objectionable. More cities should make use of women probation officers. Men probation officers should not be used to supervise women or girls on probation. A woman probation officer can do valuable work not only in investigating and supervising the cases of women and girls, but also in looking after small boys on probation and in assisting in cases of men on probation, convicted of non-support, and

in other cases of men where the trouble is chiefly of a domestic nature.

As to New York city, we believe there should be many more paid probation officers in all the courts of that city, including the court of general sessions.

The Treatment of Young Delinquents.*

I. Young delinquents should not be subjected to the penal procedure now applied to adults.

II. The principles that should guide the procedure applied to young delinquents are as follows:

1. Those who are entrusted with the cognizance of the cases of young delinquents should be primarily chosen for their ability to understand and sympathise with children and should have some special knowledge of the social and psychological sciences.

2. They should have the assistance of probation officers to make preliminary examination in each case and to watch over and help those put on probation.

3. There should be made in connection with the cases of young delinquents, such examinations as will contribute to the fund of information on juvenile delinquency and the results should be used whenever practicable to help in the disposition of the case. Medical examinations should be made only by physicians who have some special knowledge of the social and psychological sciences. The personal information obtained in these examinations shall not be made public.

4. Whenever possible in the case of young delinquents, arrest should be avoided in bringing them before the authorities and orders for arrest should be issued only in exceptional cases.

5. When necessary to detain young delinquents, the detention should not be in quarters used for adults.

6. In those countries where a court is entrusted with the cognizance of the cases of young delinquents:

(a) Such cases should never be heard at the same session with adults, and

(b) It should be the tendency in the trial of juveniles to proceed as far as practicable by way of conference for the

*The following resolutions were passed by the International Prison Congress. Space forbids their discussion, but their importance warrants their publication, even without comment.

good of the child instead of contest about and over the child.

III. Those who are entrusted with the cognizance of the cases of young delinquents should also have the cognizance of the measures needed in the interest of abandoned or maltreated children.

The Problem of Mentally Defective Children.

Resolved: That it is the sense of this section in discussing the question of the establishment of separate institutions for mentally defective children with dangerous moral tendencies, that too little practical investigation of the subject has hitherto been undertaken for us competently to render a verdict. We, however, earnestly recommend that investigation be rapidly undertaken by well-qualified persons under private initiative or state authority—using the mental tests and classification which prominent students of the psychology of abnormal children have agreed upon, and working with clear definition of the ends in view—such investigation to be primarily directed towards ascertainment of:

- I. How many children numerically and proportionately there are:
 - (a) with dangerous moral tendencies in institutions for abnormal children,
 - (b) with mental defect in institutions of the reformatory type, or who come before juvenile courts.
- II. How the directors of such institutions:
 - (a) regard the desirability of such cases as inmates of their institutions,
 - (b) find it advisable to treat them,
 - (c) estimate the success of their efforts.

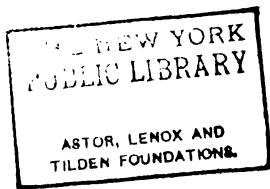
The Saving of the Children.

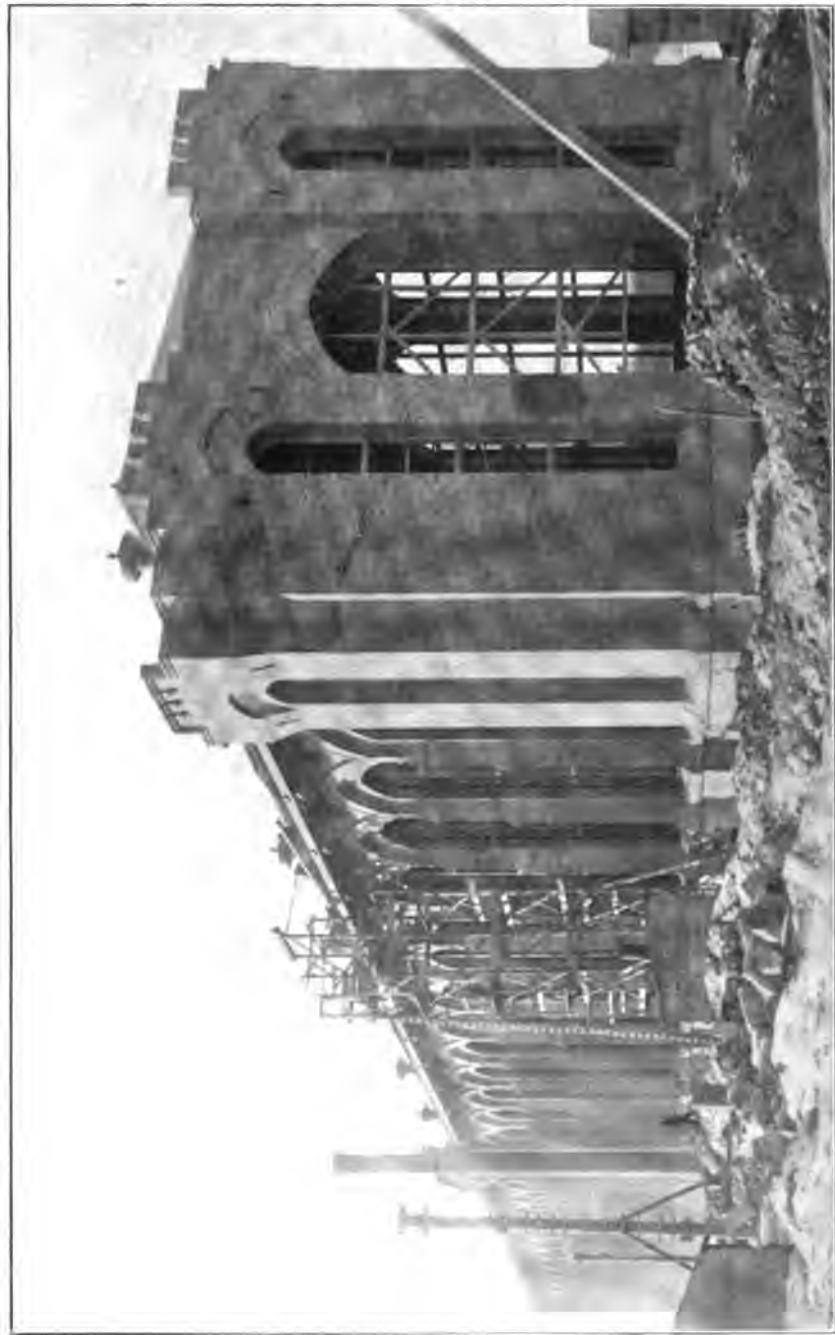
It is resolved that to prevent habits of vagrancy and idleness among children in large cities there should be:

I. Laws making parents responsible for the wrongdoing of their children; compelling deserting fathers to return to their duty or to support their children; allowing children to be taken from unfit homes and be properly placed for training and care.

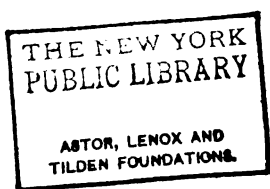


Great Meadow Prison [under construction] — South and East Cell House Entire





Great Meadow Prison [under construction] — North Wing of Cell House



II. Greater co-operation between school authorities and the public; better adaptation of school curricula both in interest and in practical use to the individual needs of the children; and that there should be more kindergartens and greater recognition of training in handwork for the children.

III. Vast additions to playgrounds, wholesome recreation centers, gymnasiums and athletic fields as the surest preventives of juvenile mischief and crime, and as affording young people places where they may learn to bear defeat with courage and success with modesty.

IV. Lectures to parents on practical subjects that shall tend to make better and happier homes as the wisest way to keep children from the idle wandering life.

V. A stronger influence on the part of the press and pulpit to enforce the sentiment that the best bulwark against juvenile delinquency is to care for the children in such a way as to prevent them from becoming vagrants and idlers.

Children Born Out of Wedlock.

1. In the opinion of this congress legislative measures and moral and social propaganda are necessary for the protection of illegitimate children.

2. That the object of legislative action should be so to modify existing laws as to make the care, support and inheritance of illegitimate and legitimate children as nearly as possible identical.

3. That after the nursing period is over the decision as to which parent shall have the future care of an illegitimate child should be based upon the child's best interests and its needs as a future citizen.

4. That whichever parent has not the care of the child should contribute toward its support and education.

5. That as illegitimacy is often the result of ignorance, it shall be the object of a moral propaganda:

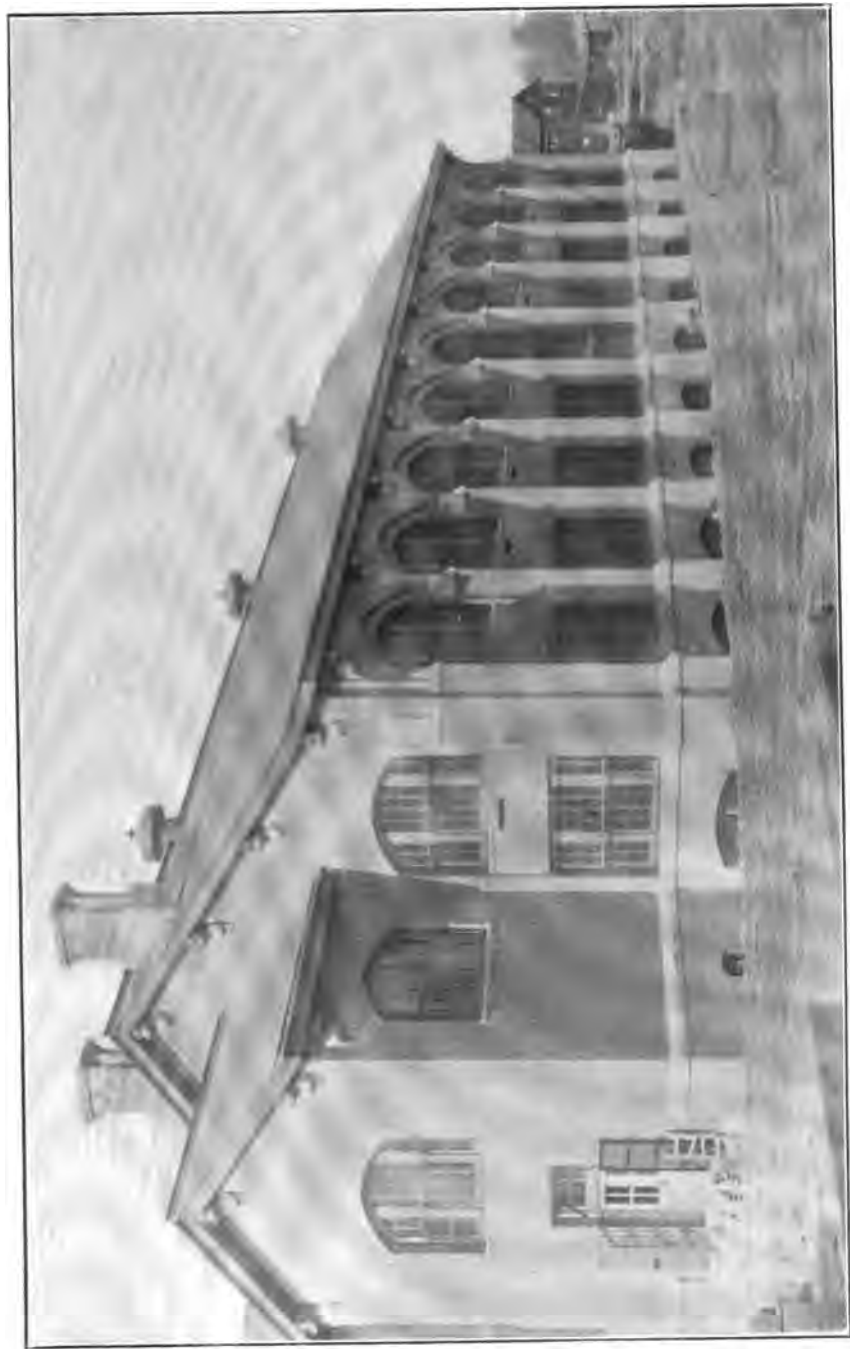
a. to instruct young people in the matters of sex and its relations to the life and welfare of the state.

b. to help build up a single moral standard applicable to to men and women alike.

6. That as girl-mothers often attempt abortion, abandonment of their child, or drift into prostitution, it shall be

the object of a social propaganda to have connected with hospitals and all institutions where such girl-mothers may go for advice and care, a trained staff of workers whose duties shall be

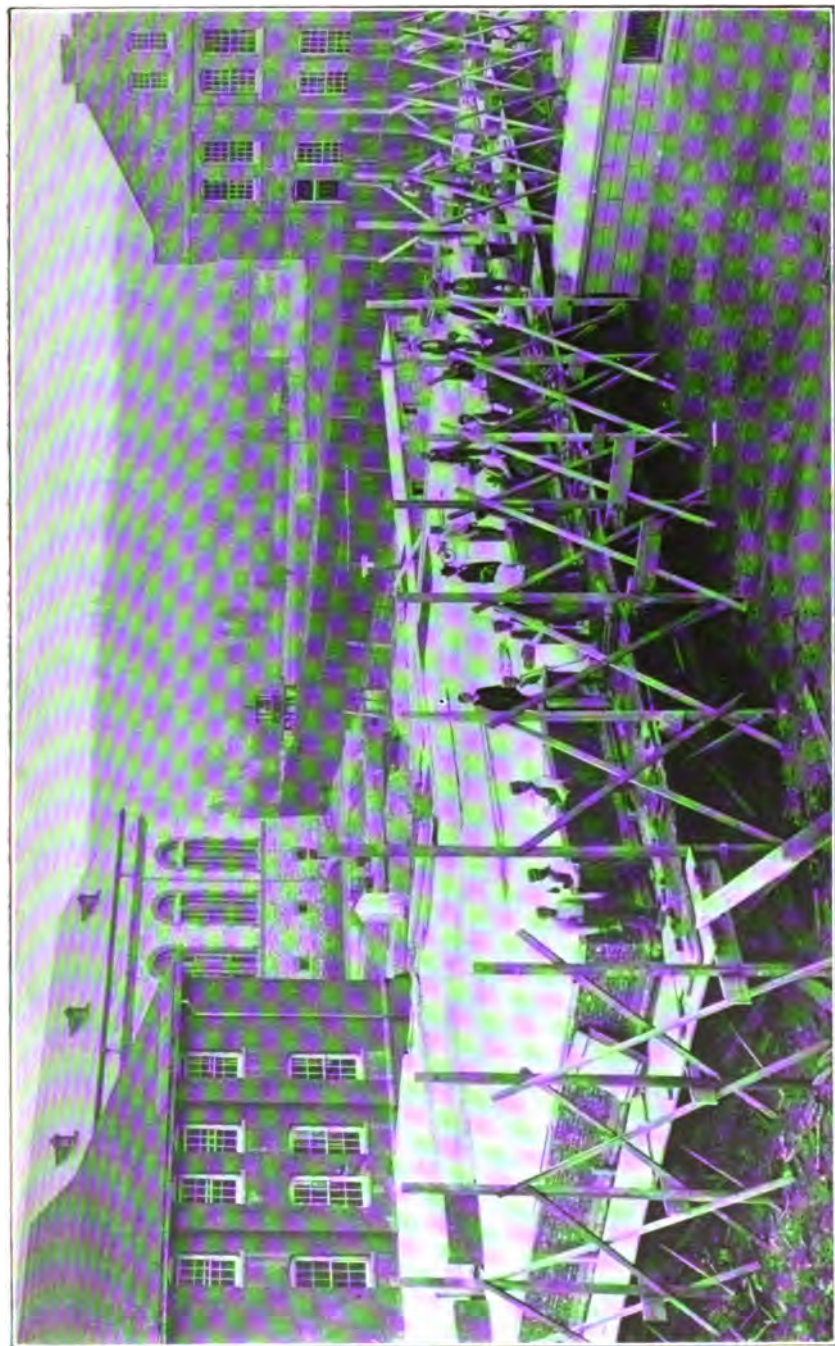
- a. to instruct said girl-mother in the care of herself in view of her child's needs before and after birth.
- b. to secure from the child's father acknowledgment of paternity and the necessary financial provisions.
- c. to act as friend to the mother, and guardian or trustee for the child.



Great Meadow Prison [under construction] — Dormitory, Southeast

THE NEW YORK
PUBLIC LIBRARY

ASTOR, LENOX AND
TILDEN FOUNDATIONS.



Napanoch Reformatory — Inmates Building Mess Hall and Kitchen

THE NEW YORK
PUBLIC LIBRARY

ASTOR, LENOX AND
TILDEN FOUNDATIONS.

The Prison Association of New York.

Treasurer's Report

of the

RECEIPTS AND EXPENDITURES

For the 12 months ending December 31, 1910.

CURRENT FUND.

Balance, January 1st, 1910:

In Mechanics and Metals National Bank.....	\$3,766 76
In corresponding secretary's hands.....	848 23

\$4,614 99

INCOME.

Donations received.....	\$19,030 68
New York State Reformatory, Elmira.....	1,200 00
Napanoch Reformatory.....	300 00
Rents.....	236 50
Refunds, etc.....	284 77
Transferred from reserve fund (net).....	3,350 00

24,401 95

\$29,016 94

EXPENDITURES.

Salaries.....	\$12,335 57
Office expenses.....	541 54
Stationery and printing, etc.....	2,419 69
Postage.....	1,361 61
Prisoners' relief.....	2,277 79
State work and corresponding secretary's ex- penses.....	337 77
Carfare and agents' expenses.....	382 25
Office furniture.....	25 00
Library.....	45 83
Library expenses.....	170 05
Real estate expenses (135 East 15th st.):	
Taxes and water rates.....	\$125 39
Insurance.....	44 56
Repairs and alterations.....	5,344 29
Maintenance, etc.....	471 68

5,985 92

25,883 02

\$3,133 92

Balance, December 31, 1910:

In Mechanics and Metals National Bank	\$4,487 94	
Of which, endowments, not yet ordered transferred	\$1,152 00	
And balance, account Sage Founda- tion	276 52	
		1,428 52
		\$3,059 42

In corresponding secretary's hands:

Bank of the Metropolis	\$232 76
Of which funds held in trust	182 62
	\$50 14
Cash in office	24 36

74 50

\$3,133 92*Treasurer's Report of the**Condition of the Various Funds at December 31, 1910.*

STATEMENT OF THE RESERVE FUND.

Balance at credit of fund January 1, 1910	\$6,412 27
Transferred to current fund	\$5,350 00
Transferred from current fund	2,000 00
	3,350 00
	\$3,062 27
Interest to December 31, 1910 allowed by New York Life Insurance & Trust Co.	193 23
Balance at credit of fund, December 31, 1910	<u><u>\$3,255 50</u></u>

STATEMENT OF THE ENDOWMENT FUND.

Balance at credit of fund, January 1, 1910	\$9,108 66
Transferred to Mary H. Brush fund	3,000 00
	\$6,108 66
Received during year 1910	25,719 00
Interest to December 28, 1910, allowed by United States Trust Co.	338 58
Balance at credit of fund, December 31, 1910	<u><u>\$32,166 24</u></u>

TREASURER'S REPORT.

77

STATEMENT OF THE MARY H. BRUSH FUND.

Transferred from endowment fund.....	\$3,000 00
Interest to December 31, 1910, allowed by Union Trust Co. of New York.....	58 36
Balance at credit of fund, December 31, 1910	\$3,058 36

STATEMENT OF FUND FROM THE RUSSELL SAGE FOUNDATION.

Received during year 1910.....	\$4,100 00
Expenditures during year 1910 as follows:	
Salaries	\$3,447 73
Coal.....	15 00
Furniture.....	25 00
Office supplies and stationery	99 48
Sundries — carfare, telephones, traveling ex- penses, expressage, etc.....	224 67
Postage.....	11 60
	3,823 48
Balance at credit of fund, December 31, 1910	\$276 52

STATEMENT OF THE FUNDS HELD IN TRUST.

Notes collected for ——— ———, a discharged prisoner now on deposit in the Bank of the Metropolis, as follows:	
October.....	\$60 87
November.....	60 88
December.....	60 87
Balance at credit of fund, December 31, 1910	\$182 62

Statement of Assets and Liabilities at date of December 31, 1910.

ASSETS.

Cash on hand:	
Mechanics and Metals National Bank.....	\$4,487 94
Corresponding secretary's hands.....	257 12
New York Life Insurance & Trust Co., (reserve fund).....	3,255 50
United States Trust Co. (endowment fund in part).....	31,014 24
Union Trust Co. (Mary H. Brush fund)	3,058 36
	\$42,073 16
Real estate:	
House and lot, No. 135 East 15th st. (at cost).....	22,500 00
	\$64,573 16

LIABILITIES.

Reserve fund.....	\$3,255 50	
Endowment fund....	32,166 24	
Mary H. Brush fund...	3,058 36	
Russell Sage Foundation.....	276 52	
	\$38,756 62	
Funds held in trust.	182 62	
		\$38,939 24
Excess of assets over liabilities — net capital		\$25,633 92

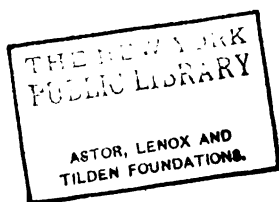
We hereby certify that we have examined the books, accounts and vouchers of the Prison Association of New York for the fiscal year ended December 31, 1910, and that the above statement is correct in all respects.

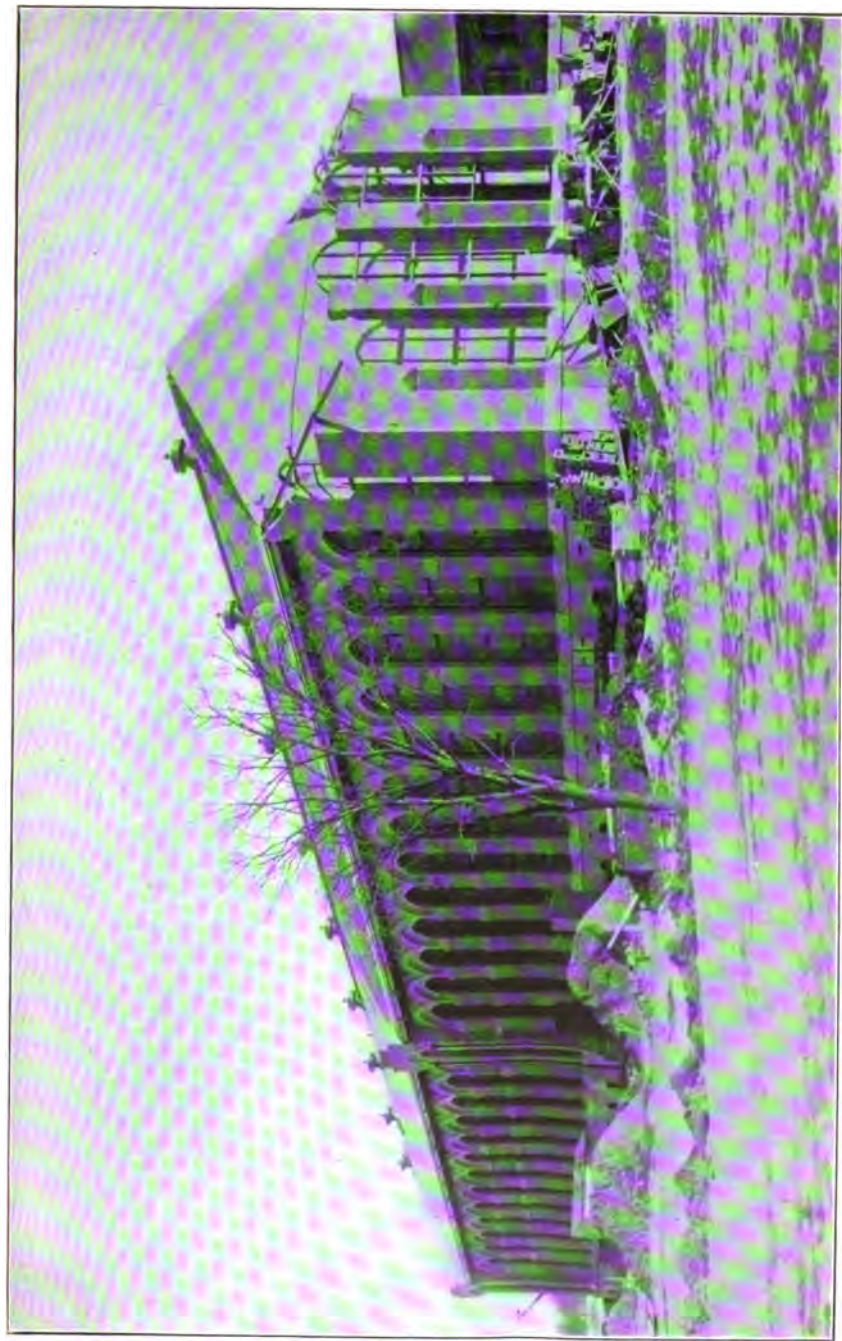
TOWNSEND, DIX & YALE,

Accountants and Auditors.



Napanoch Reformatory — New Bath House and Laundry





Great Meadow Prison [under construction] — Southwest View, Cell House Entire

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TILDEN FOUNDATIONS.

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By Contributions of \$500 or More at One Time.

Barbey, Mrs. Henry I.	McHarg, Henry K.
Benjamin, Mrs. Eastburn.	Phipps, Henry.
Billings, Frederick.	Pyne, Percy R.
Brown, M. Bayard.	Rhineland, Miss Serena.
Clarke, F. Ambrose.	Sage, Mrs. Dean.
Dodge, Cleveland H.	Schiff, Jacob H.
*Dodge, Mrs. William E.	Schiff, Mortimer L.
Gold, Cornelius B.	Scott, William H.
Harkness, E. S.	Stetson, Francis Lynde.
Harrah, Charles J.	Stewart, Lisperard.
James, Arthur Curtis.	Thorne, Samuel.
James, Mrs. D. Willis.	Tiffany, L. C.
Lewisohn, The Misses Alice & Irene.	Woerishoffer, Mrs. Anna.
" M. G. S."	

* Deceased.

Honorary Members.

By Contributions of \$100 at One Time.

Agnew, A. G.
 Archer, George B.
 Baker, George F.
 Barhydt, Mrs. P. Hackley.
 Billings, Mrs. Frederick.
 Bogert, E. C.
 Booth, William T.
 Bowen, Mrs. Harry S.
 Brown, Alexander H.
 Brown, James.
 Bruce, Miss Sarah E.
 Bull, H. K.
 "C. C."
 "C. P. S."
 Caldwell, Samuel B.
 Carnegie, Andrew.
 Carnegie, Mrs. T. M.
 Caswell, John.
 Chapman, Mrs. John J.
 Chisolm, B. Ogden.
 Chisolm, W. E.
 Clark, Edward Severin.
 Clark, Mrs. Stephen C.
 Cooper, James Fennimore.
 Conger, A. B.
 Connor, W. E.
 Corning, H. K.
 Crimmins, John D.
 Crosby, William B.
 Cutting, R. Fulton.
 De Forest, Henry W.
 Dickie, E. P.
 Dodge, D. Stuart.
 Dodge, Mrs. George E.
 Du Bois, Miss Katharine.
 Duncan, William B.
 Ehret, George.
 Einstein, Edward.
 Emmons, Arthur B.
 Fraser, George S.
 Gerry, Elbridge T.
 Gerry, Peter.
 Gilman, William G.
 Gilman, Winthrop S.
 Gould, Edwin.
 Gould, Miss Helen M.
 Grace Church.
 Haggin, J. B.
 Halkett, Baroness S.
 Hall, Mrs. Bolton.
 Hill, Frederick T.
 Howland, Joseph.
 Howland, Mrs. Joseph.
 Howland, Meredith.
 Hyde, Mrs. Clarence M.
 Jackson, Samuel Macauley.

Jameson, E. C.
 Johnson, Arthur G.
 Johnson, Gilbert H.
 Johnson, James W.
 Jones, James H.
 Juilliard, Mrs. A. D.
 Keene, James R.
 * Kennedy, John S.
 Kunhardt, W. B.
 "L. B. G."
 Langdon, Woodbury G.
 Lawrence, Mrs. Samuel.
 Lenox, Miss.
 * Letchworth, William P.
 Livingston, Johnston.
 Livingston, Miss Julia.
 Lorillard, Pierre.
 Low, William G.
 McClymonds, Mrs. L. K.
 McCurdy, Richard A.
 McLanahan, Mrs. C. L.
 McLane, Allen.
 Marshall, Louis.
 Mead, J. H.
 Minturn, Mrs. Robert B.
 Moore, Mrs. W. H.
 Morgan, Mrs. David P.
 Morgan, George D.
 Murtland, Samuel.
 National Humane Alliance.
 O'Connor, Thomas H.
 Olmsted, Mrs. C. L.
 Olyphant, R. M.
 Osborn, William Church.
 Parrish, Daniel.
 Peabody, George Foster.
 Penfold, Miss Josephine.
 Perkins, George W.
 Peters, E. D.
 Pratt, Herbert L.
 Pullen, John A.
 Rand, George C.
 Reed, Latham G.
 Rhinelander, W. C.
 Robb, J. Hampden.
 Sage, Dean.
 Sage, William H.
 Sampson, Joseph.
 Schermerhorn, F. Augustus.
 Sewell, T. G.
 Shaw, Mrs. Francis George.
 Sheafe, Mrs. Mary.
 Shipman, C. H.
 Slayback, John D.
 Sloane, Samuel.
 Smith, Eugene.

Spencer, Mrs. Catherine L.
 Stillman, Miss Charlotte R.
 Stillman, Mrs. T. E.
 Stokes, Anson Phelps.
 Stone, Miss Annie.
 Tarbell, H. S.
 Thomas, Seth E.
 Thorne, Jonathan.
 Trevor, Mrs. J. B.
 Van Dyke, Henry J.
 Van Gerbig, Mrs. B.
 Van Ingen, E. H.
 Van Rensselaer, Alexander.

Ward, George C.
 Ward, J. Seely.
 Webb, William Seward.
 Westinghouse, Church Kerr & Co.
 Weston, R. W.
 Whitney, H. P.
 White, Mrs. Joseph M.
 Wilson, Mrs. H. S.
 Wood, J. Walter.
 Wood, William.
 Woodin, W. H.
 Zabriskie, Mrs. George.

Life Members.

By Contributions of \$50 at One Time.

A Friend.
 Adler, Felix.
 Andrews, Constant A.
 Arnold, Edward W. C.
 Astor, W. W.
 Belmont, August.
 Bigelow, Mrs. Lucius H.
 Bliss, Cornelius N.
 Bliss, Ernest C.
 Bliss, Mrs. Robert W.
 Booth, W. A.
 Borg, Simon,
 Brown, Stewart.
 Bulkley, Mrs. Edwin M.
 Campbell, Mrs. Henry G.
 Chisolm, Mrs. William E.
 Coffin, Edmund.
 Coleman, N. T.
 Colgate, William.
 Corse, Israel.
 Coster, Mrs. Charles Henry.
 Crane, Albert.
 Crossman, W. H., & Bro.
 "Crown."
 Dean, Miss E. A.
 Dinsmore, Mrs. W. B.
 Dodge, William E., Jr.
 * Dun, Mrs. R. G.
 Duncan, Miss Amy L.
 Ellis, William D.
 Engs, P. W.
 Evans, Hartman K.
 Ferguson, Mrs. Farquhar.
 Field, B. H.
 Foster, James Jr.
 Fraser, Mrs. George S.
 Gallatin, Mrs. A. H.
 Gallatin, Albert.
 Geer, Mrs. Walter.
 Gilman, Arthur.

Gray, Horace.
 Hackley, Mrs. C. B.
 Haggin, J. B.
 Hall, Mrs. John.
 Halliday, E. C.
 Halliday, Mrs. E. C.
 Halsted, Miss A. B.
 Harkness, Mrs. Stephen V.
 Havemeyer, J. C.
 Hawley, John S.
 Healey, A. Augustus.
 Hencken, Mrs. Albert C.
 Herrick, E.
 Holden, James C.
 Horne, James.
 Hubbard, Mr. and Mrs.
 Hunt, Thomas.
 Huntington, Henry.
 Hurd, R. M.
 Hutchinson, John William.
 Hyde, Frederick E.
 Irvin, Richard.
 Jardine, Dudley.
 Jesup, Mrs. Morris K.
 Johnson, Alexander S.
 Jones, Edward.
 Jones, James J.
 Kidder, Mrs. A. M.
 Kissam, Samuel H.
 Landon, Francis G.
 Langton, John.
 Le Roy, J. R.
 Lichtenstadter, Samuel.
 Lobenstine, William C.
 Lockwood, Homer N.
 Lowery, J. S.
 Lydig, David.
 McKeen, James.
 Maghee, Mrs. S. P.
 Maxwell, Mrs. Robert.

Metcalf, Bros. & Co.
Milbank, Mrs. Joseph.
Moore, W. H. H.
Moore & Schley.
Morgan, Miss C. L.
Morgan, J. P., Jr.
Morris, Henry Lewis.
Mortimer, Mrs. W. Y.
Mott, William F.
National Humane Alliance.
Neustadter, Henry.
Olyphant, David.
Osborne, Thomas W.
Parish, Henry.
Parish, Miss Susan D.
Parks, Leighton.
Parsons, Mrs. Edwin.
Pearl, Mrs. Frederick W.
Phelps, Mrs. William W.
Philbin, Eugene A.
Potter, Howard.
Prosser, Thomas.
Pyne, Percy R.
Raht, Charles.
Ray, Robert.
Richard, Mrs. Auguste.
Richard, Miss Elvine.
Risley, G. H.
Robbins, George A.
Roberts, Miss Elizabeth W.
Robertson, R. H.
Rothschild, Bros. & Co.
Rowland, Thomas F.
Satterlee, Mr. and Mrs. Herbert L.
Schermerhorn, W. C.
Schenck, Frederick B.
Scott, George S.
See, Alonzo B.
Seilliere, Baroness.
Seligman, Isaac N.
Sheldon, James O.

Sherman, Austin.
Sherman, B. B.
Sicher, D. F.
Simpson, John W.
Sloane, Samuel.
Sloane, Mr. and Mrs. William D.
Smith, Cornelius.
Speyer, Leo.
Steers, James R.
Stevens, Frederick K.
Stewart, John.
Stillman, Miss Charlotte R.
Stokes, J. G. Phelps.
Stokes, Oliva E. P.
Stone, Miss Ellen J.
Sutton, James F.
Talbot, Charles W.
Taylor, Lloyd.
Terry, I. T.
Thompson, Mrs. Frederick F.
Trumbull, Frank.
Tucker, Allen.
Tucker, Samuel A.
Van Nest, Abram.
Van Norden, Warner.
Van Winkle, Miss M. D.
Virgin, S. H.
Van Wagenen, Bleecker.
Walker, W.
Warburg, F. M.
Ward, A.
Watson, Mrs. James S.
Wetmore, Samuel.
White, John J.
Willard, Mrs. Laura.
Winthrop, Mrs. E. V. S.
Winthrop, Egerton L.
Wood, W. H. S.
Woolsey, Mr. and Mrs. E. J.
Wurts-Dundas, Ralph.
Zabriskie, Andrew C.

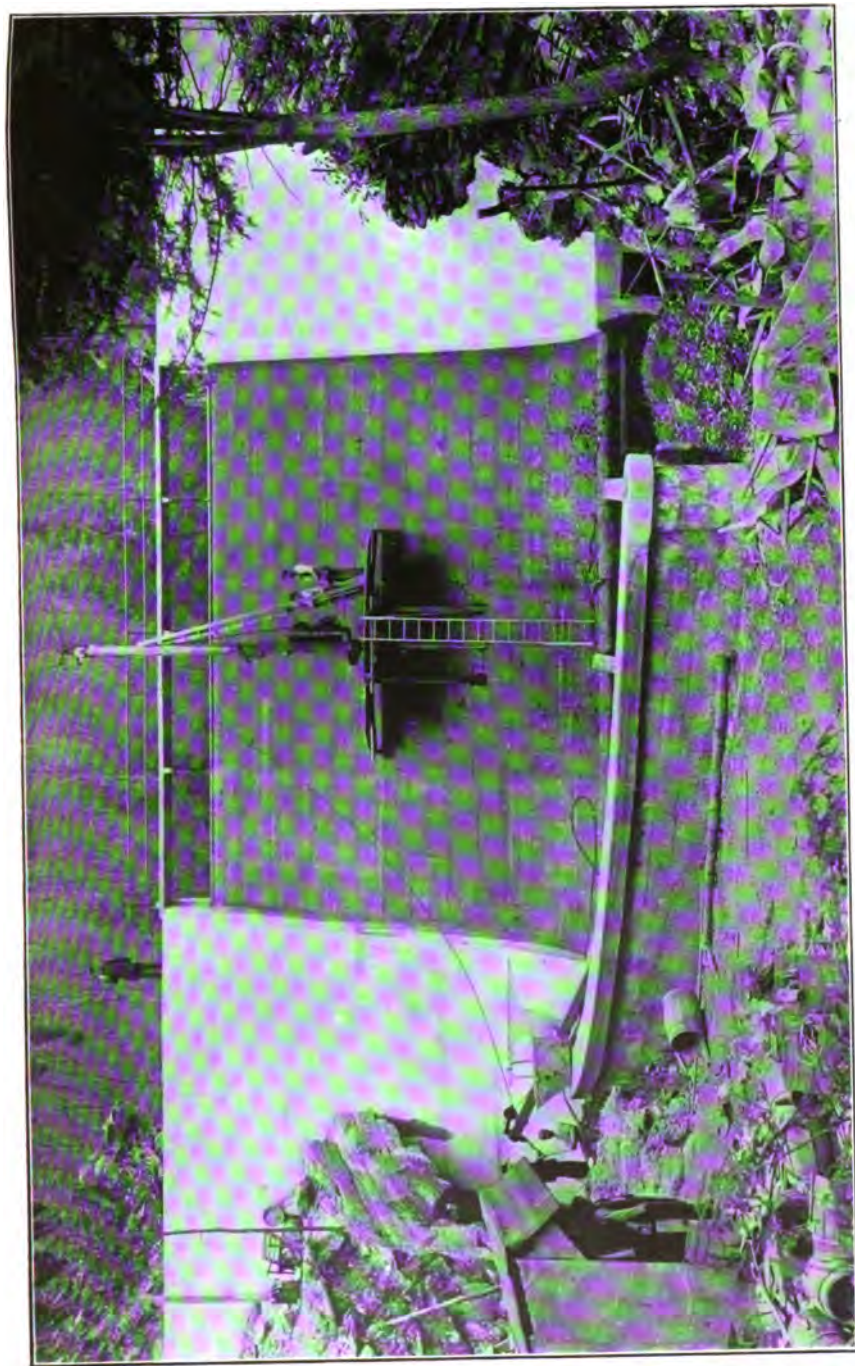
Contributors' List

For the Year Ending December 31, 1910.

Contributions preceded by name only are for the General Fund. Other contributions are marked as follows: E for Endowment Fund, S for Special Fund.

A		
Abbott, Lyman.....	\$5 00	
Ackerman, Ernest R.....	2 00	
Achelis, Fritz.....	10 00	
Achelis, John.....	10 00	
Adams, C. J.....	5 00	
Adams, Mrs. C. Thayer....	4 00	
Adams, Daniel C.....	1 00	
Adler, Felix.....	10 00	
Adler, Isaac.....	10 00	
Adrian, H. E.....	1 00	
Agnew, A. G.....	20 00	
Agnew, A. G.....	E 100 00	
Agnew, George B.....	5 00	
Ahrnke, Carl J. R.....	1 00	
Aikman, Walter M.....	5 00	
Aikman, Walter M.....	E 25 00	
Albee, E. F.....	1 00	
Aldrich, Mrs. James Herman	5 00	
Aldrich, Mrs. James Herman	E 10 00	
Aldrich, Mrs. Richard.....	25 00	
Aldrich, Mrs. Richard.....	E 25 00	
Alexander, Mrs. Charles B..	10 00	
Alexander, Mrs. Charles B..	E 25 00	
Alexander, Mrs. Douglas...	5 00	
Alexander, George.....	5 00	
Alexander, Mrs. H. E.....	1 00	
Alexander, William.....	10 00	
Alexandre, J. Henry.....	5 00	
Alexandre, Miss V.....	E 5 00	
Allebone, Mrs. J. O.....	5 00	
Allen, Calvin H.....	5 00	
Allen, Mrs. E. B.....	24	
Allen, E. Hubert.....	1 00	
Allen, George C.....	2 50	
Allen, George M.....	5 00	
Allen, John R.....	10 00	
Allen, Mrs. Paul.....	5 00	
Alley, Miss M. Ida.....	3 00	
Alsop, Reese F.....	1 00	
Altmayer, Mrs. Abraham E..	2 00	
Amend, Bernard G.....	10 00	
Amerman, Miss M. F.....	5 00	
Amerman, Miss M. F.....	E 5 00	
Anderson, A. J. C.....	10 00	
Anderson, A. M.....	E 10 00	
Anderson, Mrs. Chandler P..	10 00	
Andrews, Constant A.....	50 00	
Anthony, E. G.....	2 00	
Appel, S. & Co.....	\$5 00	
Appel, S. & Co.....	E 5 00	
Archbold, John D.....	25 00	
Armstrong, Mrs. D. Mait-		
land.....	2 00	
Armstrong, J. H.....	10 00	
Arnold, Edward W. C.....	25 00	
Arnold, Edward W. C.....	E 50 00	
Arnold, Mrs. Glover C.....	5 00	
Arnstein, Mrs. Eugene.....	10 00	
Arnstein, Mrs. S.....	5 00	
Arthur, Miss L. Louise.....	1 00	
Ashforth, Mrs. Frida.....	10 00	
Asiel, Miss Estelle.....	2 00	
Asten, Mrs. Thomas B.....	1 00	
Atterbury, J. T.....	25 00	
Atterbury, Mrs. L. B.....	5 00	
Atterbury, Miss Mary S....	5 00	
Auchincloss, Mrs. Edgar S..	20 00	
Auchincloss, Mrs. Edgar S.		
Jr.....	15 00	
Auchincloss, Mrs. J. W.....	E 25 00	
Auchincloss, Miss Joanna R.	10 00	
Auchincloss, John W.....	15 00	
Auchmuty, Mrs. Richard T..	25 00	
Auerbach, Joseph S.....	25 00	
Austen, Mrs. Valle.....	5 00	
Austen, Mrs. Valle.....	E 5 00	
Austin, Nichols & Co.....	10 00	
Ayers, Samuel.....	1 00	
B		
Babcock, Mrs. Paul.....	10 00	
Bache, Jules S.....	25 00	
Bacon, Daniel.....	5 00	
Bacon, Mrs. George B.....	E 5 00	
Bacon, Mrs. Francis McNeil,		
Jr.....	5 00	
Bailey, Mrs. James S., Jr...	5 00	
Bailey, Mrs. Pearce.....	5 00	
Bailey, Mrs. Theodorus.....	5 00	
Bailey, Mrs. Theodorus.....	E 25 00	
Baird, Miss Jeanette F.....	2 00	
Baker, George F.....	25 00	
Baker, George F.....	E 100 00	
Bakewell, Allan C.....	1 00	
Baldwin, Miss Helen.....	5 00	
Baldwin, John S., Jr.....	1 00	
Baldwin, Miss Theodora....	1 00	

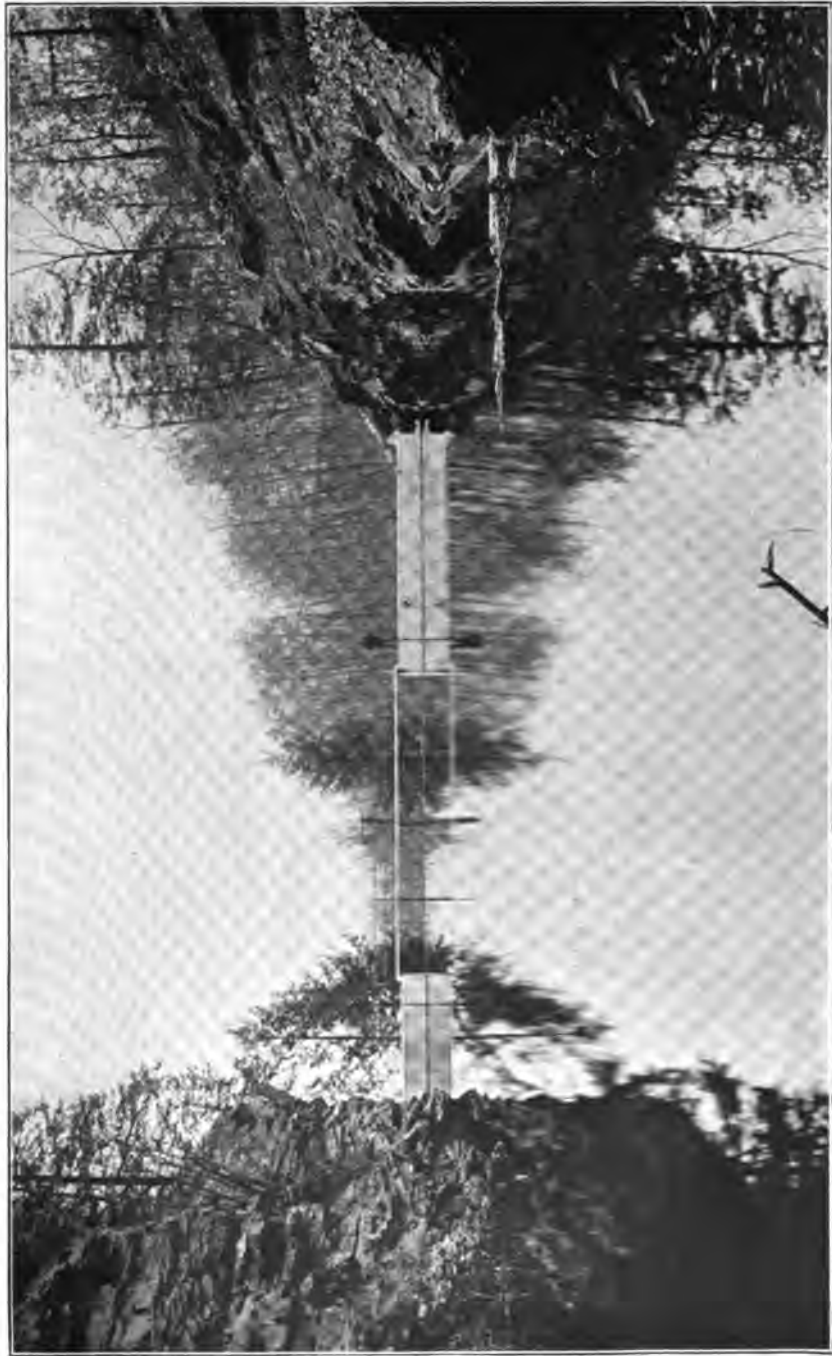
Baldwin, Miss Theodora....	E	\$2 00	Bell, Mrs. Gordon.....	\$10 00
Balfour, Williamson & Co..		25 00	Bell, Mrs. Gordon.....	E 10 00
Ballard, Stephen, Rubber Co.		2 00	Beller, A.....	2 00
Balletto, A.....		3 00	Beller, Mrs. A.....	2 00
Bamberger, Alfred H.....		2 00	Beller, William F.....	5 00
Bandler, Bernard.....		1 00	Belloni, Miss Sadie H.....	2 00
Bangs, L. Bolton.....		5 00	Belmont, August, & Co.....	25 00
Banks, James Lenox.....		5 00	Bement, Miss Harriet.....	2 00
Banks, Lenox.....		10 00	Bendheim, Adolph D.....	10 00
Banks, Lenox.....	E	10 00	Bendheim, Henry.....	10 00
Bannerman, Francis.....		2 00	Bendix, Herman.....	25
Barber, Mrs. Mary C.....		40	Benedict, Edward.....	5 00
Barbey, Mrs. Henry I.....	E	500 00	Benedict, Mrs. J. H.....	E 5 00
Barbour, Robert.....		5 00	Benedict, Miss Lydia.....	3 00
Barclay, Mrs. James L.....		5 00	Benjamin, Mrs. Eastburn...	10 00
Barger, Milton S.....		3 00	Benjamin, Mrs. Eastburn...	E 300 00
Barhydt, Mrs. P. Hackley... E		100 00	Benjamin, Mrs. J. J.....	5 00
Barker, Mrs. F.....		3 00	Benjamin, Mrs. John.....	5 00
Barlow, Mrs. A. H.....		5 00	Bensel, Mrs. J. A.....	5 00
Barnes, A. V.....		5 00	Benson, Miss Mary A.....	1 00
Barnes, Charles B.....	E	1 00	Bentley, Mrs. John.....	1 00
Barnes, E. W.....		1 00	Bentley, Mrs. John.....	E 5 00
Barnes, Mrs. H. W.....		10 00	Bentley, Miss Meta E.....	2 00
Barnes, Richard S.....		10 00	Benzer, F.....	1 00
Barnum, Miss Laura C.....		10 00	Benziger, Louis G.....	5 00
Barwell, M. G.....		5 00	Bergmann, Charles H.....	2 00
Barr, Mrs. William R.....		10 00	Bernheim, Henry J.....	10 00
Barre, Leon.....		5 00	Betts, Edward H.....	1 00
Barrett, Charles E.....		1 00	Bewer, Julius A.....	1 00
Barstow, Charles L.....		1 00	Bidwell, Miss Clara E.....	E 10 00
Barstow, J. W.....		1 00	Bier, Mrs. Sylvan.....	5 00
Bates, Mrs. B. F.....		5 00	Bigelow, Ernest A.....	10 00
Bates, Mrs. B. F.....	E	5 00	Bigelow, Lucius H., Jr.....	25 00
Bates, Mrs. Charles K.....		5 00	Bigelow, Lucius H., Jr.....	E 25 00
Batjer, Henry.....		10 00	Bigelow, Mrs. Lucius H.....	10 00
Batjer, Henry.....	E	5 00	Bigelow, Mrs. Lucius H.....	E 50 00
Batjer & Co.....		10 00	Billings, Miss Elizabeth.....	1 00
Batten, L. W.....		5 00	Billings, Frederick.....	E 500 00
Battershall, Walton W.....		5 00	Billings, Mrs. Frederick.....	25 00
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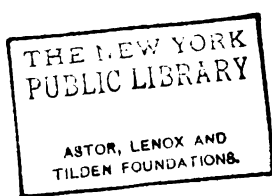
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Halsted, Miss A. B..... E	50 00	Henderson, Miss M. W..... E	5 00
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Ham, James M..... E	25 00	Henry, William.....	10 00
Hammond, John Henry.....	5 00	Henry, William..... E	10 00
Hampson, Theodore.....	1 00	Hentz, Henry.....	10 00
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Harkness, Edward S.....	150 00	Herzig, Joseph.....	10 00
Harkness, E. S..... E2,500 00		Hess, Simon.....	5 00
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Harrah, Charles J.....	50 00	Heywood, Miss Edith..... E	5 00
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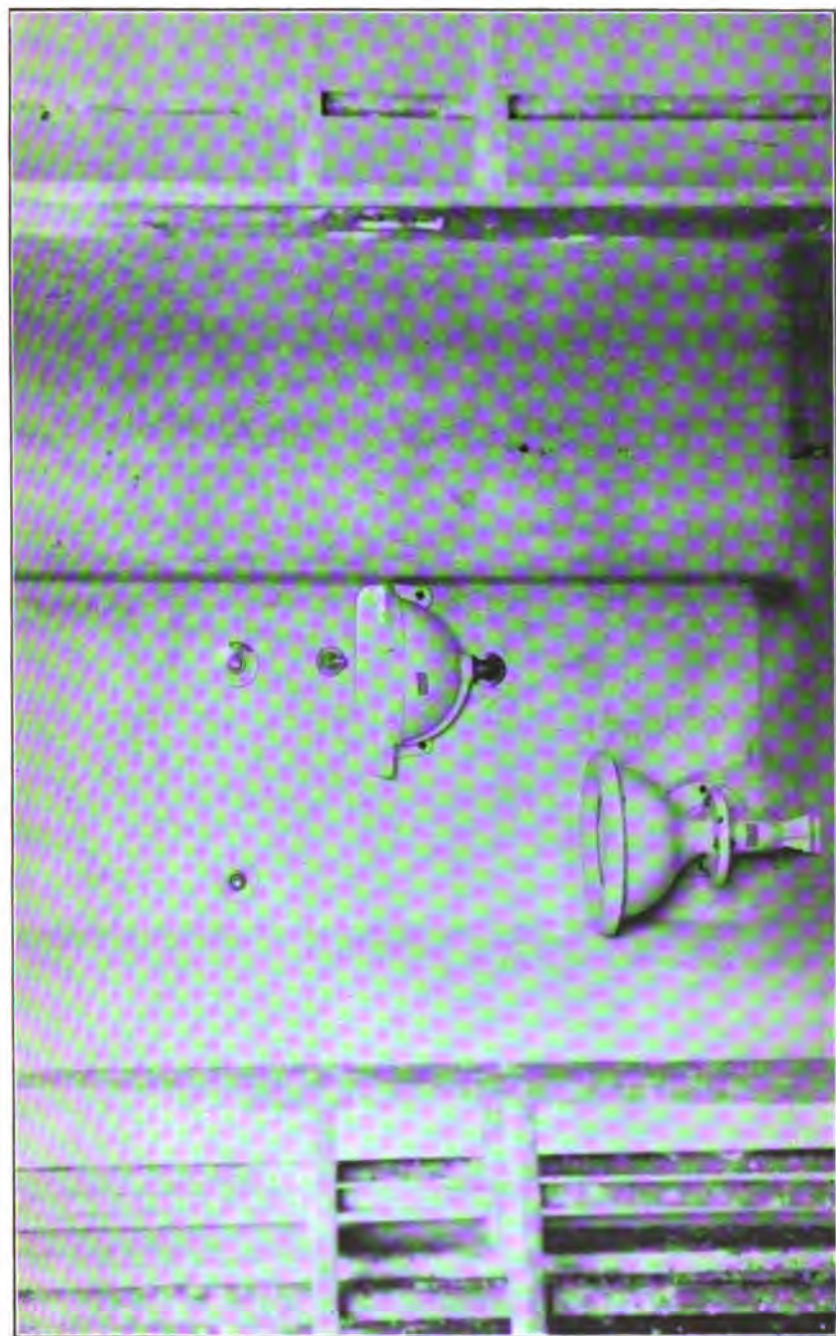
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Constitution and By-Laws.

AN ACT to incorporate the Prison Association of New York. Passed May 9, 1846, by a two-thirds vote. (As subsequently amended.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. All such persons as are now and hereafter shall become members to the said association pursuant to the constitution thereof, shall and are hereby constituted a body corporate by the name of The Prison Association of New York, and by that name have the powers that by the third title, of the eighteenth chapter, of the first part of the Revised Statutes, are declared to belong to every corporation, and shall be capable of purchasing, holding and conveying, any estate, real or personal, for the use of said corporation, provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation; and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

Article First.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of prisons, whether for cities, counties or states.
3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

Article Second.

The officers of the society shall be a president, vice-presidents, a recording secretary, a corresponding secretary, and a treasurer, and these shall be the following standing committees, viz.: a finance committee, a committee on detentions, a committee on prison discipline, a committee on discharged convicts and an executive committee. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society, and not more than twenty-five shall be persons other than officers.

Article Third.

The officers named in the preceding article shall be ex-officio members of the executive committee, who shall choose one of their number to be chairman thereof.

Article Fourth.

The executive committee shall meet once in each month, and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

Article Fifth.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or in his absence, one of the vice-presidents, shall designate.

Article Sixth.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars shall constitute an honorary member of the association for life, and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

Article Seventh.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

Article Eighth.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

Article Ninth.

Any society having the same objects in view may become auxiliary to this association by contributing to its funds and cooperating with it.

Article Tenth.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

Article Eleventh.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers elected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects, and the said executive committee shall have the same powers to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations, relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment, of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper, and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent during their minority, to such persons and at such places, to learn such proper trades and employments as in their judgment will be most conducive to their reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee by such committees as they shall from time to time appoint, shall have power, and it shall be their duty to visit, inspect and examine, all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that by the twenty-fourth section, of title first, chapter third, part fourth of the Revised Statutes are invested in inspectors of county prisons and the duties of the keepers of each prison that they may examine shall be the same in relation to them, as in the section aforesaid, are imposed on the keepers of such prisons in relation to the inspectors thereof; provided, that no such examination or inspection of

any prison shall be made until an order for that purpose to be granted by the chancellor of this State, or one of the judges of the Supreme Court or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

By-Laws.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at the annual meeting shall be as follows:

1. Election of chairman and secretary.
2. The reading of the minutes of the last meeting.
3. Report of committee on nominations.
4. Election of officers.
5. Report of corresponding secretary on the work of the year.
6. Annual report of the treasurer.

IV. The order of business at every other stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

V. The chairman shall appoint all standing and special committees and decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all meetings of the committee.

VII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; and shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

VIII. The treasurer shall have charge of the funds of the association, and shall give such security as the executive committee may require. His duties are more fully defined in by-law X.

IX. There shall be six standing committees, namely, on finance, detentions, discharged convicts, law, house, and library.

X. The committee on finance shall be charged with the duty of raising and caring for the funds.

The funds of the association shall be divided into three parts to be known as:

1. The endowment fund.
2. The reserve fund.
3. The general fund.

The Endowment Fund.—The endowment fund shall consist of such contributions as shall be given with the restriction that the income only shall be used for the purpose of the association, and all legacies.

The Reserve Fund.—The reserve fund shall consist of such sums as may be set aside from the general fund from time to time by the executive committee for investment. Whenever any part of the reserve fund shall be appropriated by the executive committee, such sum shall be immediately transferred to the general fund. The endowment and reserve funds shall be under the immediate direction and control of the committee on finance, and all investments of these funds shall be ordered by the committee. The treasurer of the association shall be a member and act as the treasurer of the committee on finance, and shall be responsible for the safe-keeping of the sureties of the endowment and reserve funds.

Any uninvested balance of the endowment and reserve funds shall be kept each in separate trust companies in the name of the association, subject to check of the treasurer, and shall, whenever possible, bear interest. All income from the endowment and reserve funds may be transferred to the general fund as soon as received.

No part of the reserve fund shall be used for any purpose except by resolution of the executive committee, and whenever any part shall be appropriated by the executive committee it shall immediately be transferred to the general fund.

The General Fund.—The term "general fund" shall cover all receipts of the association not constituting a special fund or specified for the endowment fund, the intention being that all the income, except legacies, including donations for general purposes, and income from endowment and reserve funds, shall be credited to the general fund to which the authorized disbursements of each activity of the association shall be charged at the close of the fiscal year.

The treasurer shall notify the corresponding secretary at once of all transfers of income from the endowment and reserve funds to the general fund.

The treasurer shall notify the corresponding secretary, immediately on receipt by him of any sum for the account of the association, that such receipt may be entered at once to the credit of the proper account on the books of the association.

The corresponding secretary shall be the general disbursing agent of the association, the object of the provision being to keep in the central offices of the association all receipts for payments by him for the association of any kind, nature or description, and to have in the central offices immediate record of all his disbursements. This provision shall not apply to the endowment and reserve funds.

All donations received by the corresponding secretary shall be entered by him upon the proper books of the association and then deposited in such bank

as directed by the treasurer to the credit of the association. Whenever the executive committee shall make an appropriation out of either the reserve or general fund, the corresponding secretary shall send to the treasurer a copy of the resolution making the appropriation, certified by the recording secretary, which certified copy shall be the treasurer's authority for transferring the appropriated amount to the corresponding secretary.

The treasurer shall keep an account covering the general fund in the name of the association, subject to his check as treasurer in such bank as may be selected by him and approved by the committee on finance. Such account shall be separate and distinct from those accounts opened for the uninvested balance of the endowment and reserve funds.

The corresponding secretary shall keep a bank account in the name of the association, subject to his check as corresponding secretary for current disbursements, and shall deposit to the credit of said bank account all moneys he may receive from the treasurer drawn from the general fund.

The committee on finance shall audit and report upon accounts of the treasurer and of the corresponding secretary.

At each regular meeting of the executive committee the treasurer shall make a detailed statement of the receipts and disbursements for the preceding calendar month. He shall make a statement showing investments and the receipts and disbursements of the endowment and reserve funds; he shall make, at the annual meeting of the association, a detailed statement of receipts and disbursements for the fiscal year.

XI. It shall be the duty of the committee on detentions:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and in Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

XII. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

5. To consider the internal organization of the management of prisons, and the physical and moral influences to be exerted on the prisoners during their

confinement; to report upon their health, reformation, upon convict labor, administration and internal police, on the comparative merits of different prison systems, and on the visitation of prisons and houses of reformation.

XIII. It shall be the duty of the committee on law to examine and report from time to time upon the penal legislation of the State, with their suggestions for the amendment thereto, to consider questions relating thereto which are under discussion in the press or the Legislature, including pending bills, and report their views and conclusions upon them; also to care for the law business of the association.

XIV. It shall be the duty of the committee on house to care for the maintenance of the real estate of the association.

XV. It shall be the duty of the committee on library to see that it is properly housed and catalogued and to take steps for its increase.

XVI. One or more agents may be appointed by the executive committee to assist the standing committees in their duties.

XVII. The president, chairman of the executive committee, and corresponding secretary shall be members, ex officio, of all the standing committees.

XVIII. No alteration shall be made in these by-laws except upon notice of the proposed amendment given at a previous meeting of the executive committee.

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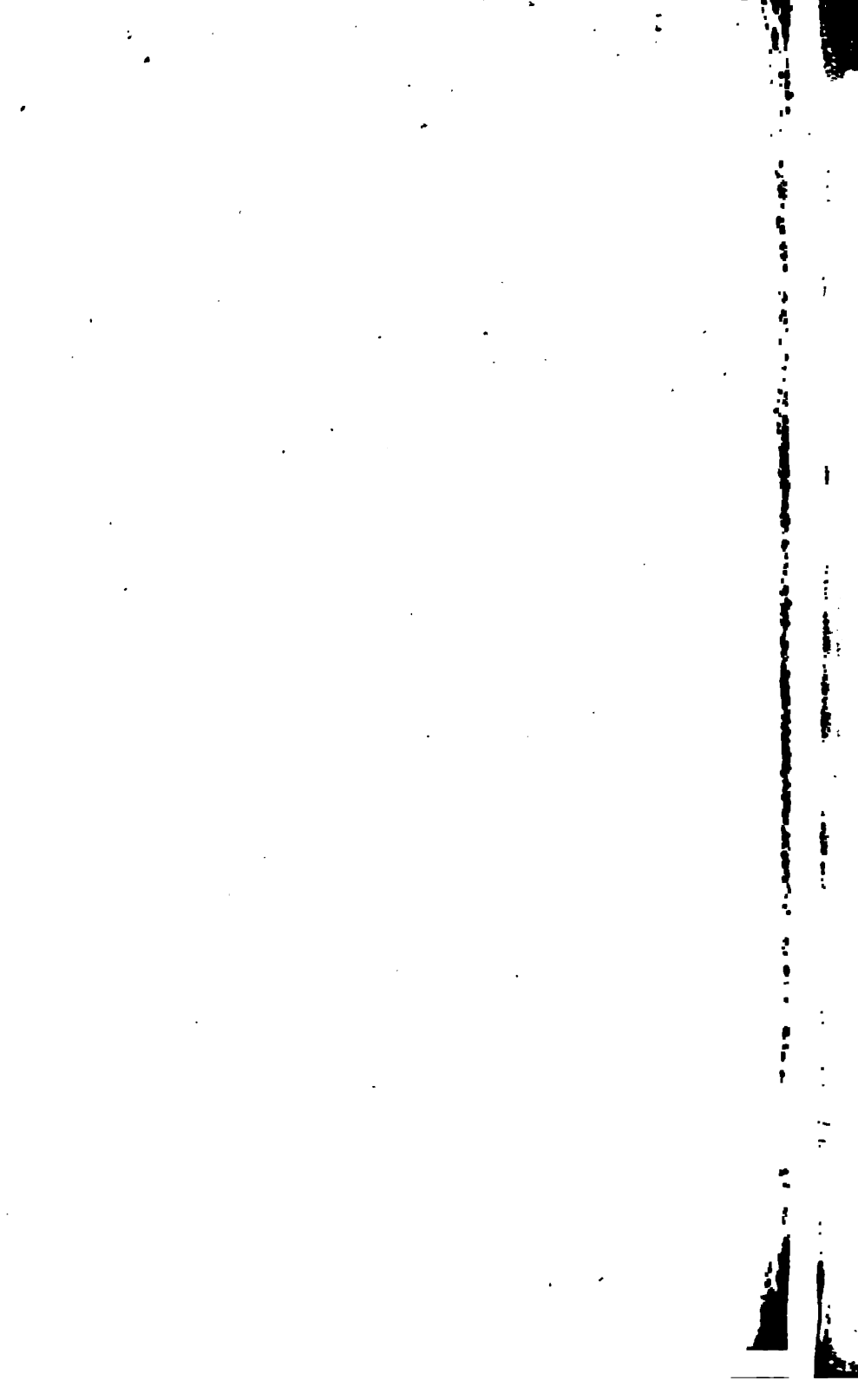
I bequeath the sum of.....dollars
to the Prison Association of New York, a corporation existing
under the laws of the State of New York and now located
at 135 (One hundred and thirty-five) East 15th (Fifteenth)
Street, in the City and County of New York, for the beneficial
use and purpose of the said Association.

"We have only to ask ourselves the question—First, how far any given system aims at the reformation of its subjects, and second, with what degree of wisdom and efficiency it pursues that end, to have an infallible gauge wherewith to mark its approach to or recession from the standard of perfection."

PRISON ASSOCIATION OF NEW YORK STATE.

(1867)





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